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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

(Separate paging is given to this Part in order that it may be filed as a separate compilation)

भाग III—खण्ड 3

(PART III—SECTION 3)

लघु प्रशासनों से सम्बन्धित अधिसूचनाएं

(Notifications relating to Minor Administrations)

UNION TERRITORY OF DADRA AND NAGAR HAVELI

No. ADM/Law.—In exercise of the powers conferred by section 243 of the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971 (2 of 1971), the Administrator hereby makes the following rules, namely:—

CHAPTER I

PRELIMINARY

1. *Short title.*—These rules may be called the Dadra and Nagar Haveli Land Revenue Administration Rules, 1972.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

(a) "Form" means a form appended to these rules;

(b) "Regulation" means the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971;

(c) "Section" means a section of the Regulation;

(d) Words and expressions used but not defined in these rules shall have the meanings assigned to them in the Land Revenue Administration Regulation, 1971.

CHAPTER II

POWERS AND DUTIES OF REVENUE OFFICERS

3. *Powers of Revenue Officers.*—The revenue officers of and above the rank of Mamlatdar shall have the power of general superintendence and control over all other officers subordinate to them and shall also have the power to allocate work among them and to assign to them such additional duties and functions as may be necessary, and will exercise similar powers in respect of survey staff unless a separate settlement officer or survey officer is appointed; and such subordinate officers shall perform such functions relating to the revenue and general administration of the territory as may be entrusted to them.

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CHAPTER III

POWERS AND DUTIES OF CIRCLE OFFICERS AND CIRCLE INSPECTORS

4. *General duties of Circle Officers and Circle Inspectors.*—

(1) Subject to the orders of the Mamlatdar, Circle Officers and Circle Inspectors shall be responsible for the supervision of the revenue administration and the land records of every village in their respective circles. They shall, from time to time in each year, inspect every village in their circles to get themselves acquainted with the efficiency and conduct of the village officers, the state of crops and the condition of the people in such village and shall report promptly to the Mamlatdar any matter requiring the orders of superior officers and see that the orders of such officers are promptly and expeditiously implemented.

(2) In particular, the Circle Officer and the Circle Inspector shall—

(a) inspect the works for which loans have been granted to the villagers under the provisions of the Agriculturists Loans Act, 1883, or the Land Improvement Loans Act, 1884 and ascertain—

(i) that the tagavi advances have been duly recorded in the Record of Rights;

(ii) that they have been spent for the purposes for which they were given; and

(iii) that the conditions attached to the grant of such advances are properly observed by the persons concerned;

(b) ascertain, where necessary, why the government revenue is in arrears, verify the Talathi's cash balance and ascertain whether remittances to the treasury are duly being made;

(c) test a reasonable number of receipts in respect of land revenue and other dues by oral examination of the persons concerned and by comparison with the ledger and, where any corrections are made by them in the receipt books, initial against such corrections and record a note at the end of the village ledger stating by their numbers which accounts have been verified;

(d) note down the dates of their visits and inspections in the visit book of the Talathi as well as in their own diaries;

(e) examine the diary of the Talathi, make remarks in the column provided for the purpose and note them briefly in their own diaries;

(f) assist in the preparation of the anna-valuation of crops of every village in their circles and satisfy themselves that due publicity has been given to orders, if any, suspending or remitting land revenue;

(g) check whether any tenancies have been created in contravention of the relevant tenancy law, whether the tenant entered in the Record of Rights is the one actually cultivating the land; whether the landlords are issuing receipts as required under the relevant tenancy law; whether any landlord has recovered rent in contravention of such law; whether any tenant has sub-divided or sub-let the land and whether all cases of contravention of the relevant tenancy law and discrepancies relating to tenancy in the Record of Rights have been reported to the Mamlatdar;

(h) inspect periodically the lands vesting in Government and lands given out on special terms with a view to detecting encroachments and breaches of such terms;

(i) check whether there is any discrepancy between the Record of Rights and the village map;

(j) check the list of survey numbers situated on the banks of rivers and nallas, which are subject to the alluvial and diluvial changes;

(k) report to the Mamlatdar auctionable items like river and tank-bed lands, fruit trees and lands under yearly lease;

(l) immediately report to the Mamlatdar or the nearest superior revenue officer the occurrence of natural and other calamities such as flood, fire, frost, hailstorm, locust swarm, epidemic diseases relating to human beings or animals and failure of crops make a rough estimate of loss due to such calamity and as soon as may be thereafter submit to the Mamlatdar a complete report;

(m) inspect both cultivated and waste lands in different parts of every village in such a manner as to cover within one year all varieties of crops grown in the village but shall not ordinarily inspect the same survey number for the purpose in two consecutive years;

(n) inspect all revenue boundary and survey marks.

5. Touring by Circle Officers and Circle Inspectors.—(1) Every Circle Officer or Circle Inspector shall send his tour programme to the Mamlatdar before the fifth day of every month.

(2) Every Circle Officer or Circle Inspector shall ordinarily tour twenty days in a month during the fair season (from 1st October to the 31st May) and not less than thirty days in the aggregate during the remaining period.

6. Diary of Circle Officers and Circle Inspectors.—Every Circle Officer or Circle Inspector shall maintain a diary in such form as may be determined by the Collector and shall submit it for the perusal of the Mamlatdar before the fifth day of every month.

7. Inward and Outward Register.—Every Circle Officer or Circle Inspector shall keep a single register for inward and outward correspondence in such form as may be determined by the Collector.

CHAPTER IV

DISPOSAL OF GOVERNMENT LANDS

8. Definitions.—For the purposes of this Chapter, unless the context requires otherwise,—

(a) "family" in relation to an individual for purposes of grant of land, includes husband, wife, minor son,

unmarried daughter and dependent brother, sister, father and mother, whether or not they are separate in estate, but does not include brothers who are major and separate in estate and a father or mother who is not dependent on such individual;

(b) "personal cultivation", with its grammatical variations and cognate expressions, means cultivation by a person on his own account—

(i) by his own labour, or

(ii) by the labour of any member of his family, or

(iii) by servants or by hired labour on wages, payable in cash or in kind (but not as a share of the produce), under the personal supervision of himself or of any member of his family.

Explanation 1.—Land shall not be deemed to be cultivated under the personal supervision of a person or a member of his family unless such person or member resides, during the major part of the agricultural season in the village in which the land or the major part thereof is situated or in a place situated within a distance of not more than eight kilometres from such village.

Explanation 2.—In the case of a person under disability, supervision by a paid employee on behalf of such person shall be deemed to be personal supervision.

Explanation 3.—For the purpose of this clause "member of a family" means father, mother, spouse, brother, son, grandson or dependent sister or daughter and in the case of a Hindu undivided family, a member thereof and also a divorced and dependent daughter;

(c) "revenue free value" in relation to any land means the sum of the market value of such land and an amount equal to twenty times the annual land revenue assessment.

9. Proprietary rights in unoccupied land not to be granted.—In all grants and disposals of land the right of occupation and use only, subject to the provisions of the Regulation, shall be granted, and not the proprietary right of the Government in the land itself.

PART I

Grant of land for the promotion of educational, charitable or public purposes

10. Powers of Administrator to make Revenue free Grants.—(1) No land shall be granted free of occupancy price or free of land revenue or both without the sanction of the Administrator, except as provided in rules 11, 12 and 13.

(2) Where any land is granted under sub-rule (1) with the sanction of the Administrator, the form of sanad to be issued by the Collector shall be such as may be specially determined by the Administrator in this behalf, having regard to the purpose for which the land is granted.

11. Power of Collector to make revenue free grants.—(1) Subject to the provisions of these rules, land may be given free of occupancy price and free of revenue, whether in perpetuity or for a term, for any of the purposes specified in column 1 of the table below, from which no profit is expected and the benefit of which is open to all citizens without distinction of religion, race, caste, place of birth or any of them, by the Collector as provided in column 2 thereof.

TABLE

Purpose	Extent of estimated revenue free value:	
	By the Collector with the sanction of the Administrator	By the Collector
(1)	(2)	
	Rs.	Rs.
For sites for the construction of—		
(i) Schools or colleges		
(ii) Hospitals		
(iii) Dispensaries		
(iv) Other cheritable public works—		
(a) at the cost of the fund of any village Panchayat duly constituted under any law for the time being in force.	Rs. 25,000	Rs. 10,000
(b) at the cost of a fund other than funds specified in clause (a)	Rs. 5,000	Rs. 2,000
(c) When used in connection with any scheme under the Community Development and National Extension Service, Local Development Works programme or other similar development works	Rs. 10,000	Rs. 5,000

(2) such grants shall ordinarily be made under a Sanad in Form J.

12. Grant of land for play grounds, gymnasiums, etc.—

(1) Land may be leased at a nominal rent of one rupee a year for playgrounds or other recreational purposes to educational institutions or local authorities or for gymnasiums recognised by the Administrator for a term not exceeding fifteen years, by the Collector; provided that where the revenue free value of the land exceeds Rs. 2,500 he shall obtain the previous sanction of the Administrator.

(2) Such leases shall ordinarily be executed in Form I.

13. Conditions for revenue free grants.—Every revenue free grant shall be made expressly on the following conditions, in addition to any others that may be prescribed in particular cases, namely :—

(a) that the land with all fixtures and structures thereon shall be liable to be resumed by the Administrator if it is not used for the purpose for which it was granted within the period specified in this behalf or if it is used for any purpose other than the purpose for which it was granted or if it is required by the Administrator for any Government purpose or any public purpose and, where the land is so required, a declaration under the signature of the Collector shall as between the grantee and the Administrator be conclusive;

(b) that if the land is at any time resumed under clause (a) the compensation payable therefor shall not exceed the amount, if any, paid to the Government for the grant, together with the cost of construction or the value, whichever is less, of any structure or fixture erected by the grantee in keeping with the purpose of the grant. The decision of the Administrator in regard to the quantum of compensation payable shall be final.

PART II

Disposal of land for agricultural purposes

14. Lands to be granted for agricultural purposes.—The Collector shall prepare a list of Government waste lands, which could be granted in occupancy rights for agricultural purposes under section 19 read with section 30, after excluding therefrom lands which are likely to be needed for public purposes and also those lands the disposal of which is governed by the Dadra and Nagar Haveli Land Reforms Regulation, 1971 and the rules thereunder.

15. Priority for allotment of agricultural lands.—The allotment of land included in the list prepared under rule 14 shall be made in accordance with such priority as between different classes of applicants as the Administrator may by order direct.

16. Terms and conditions of grant.—Every grant of land under this part shall be subject to the provisions of the Regulation and these rules and to the following conditions, namely :—

- the grantee shall bring the land under his personal cultivation within two years of the grant and the grant shall be liable to be cancelled if he fails to do so;
- the grantee shall not transfer the occupancy in contravention of rule 17 and the grant shall be liable to be cancelled if he does so;
- the grantee shall pay land revenue in addition to the occupancy price in respect of the land allotted to him.

17. Transfer of occupancy.—(1) A person who intends to transfer any occupancy in agricultural land shall make an application to the Collector, provided that no such application shall be necessary where,—

- the land is being mortgaged in favour of the Government or cooperative society or a bank for raising a loan for a purpose connected with the cultivation of the land; or
- the land is being sold in execution of decree of a Civil Court or for recovery of arrears of land revenue or Government dues recoverable as arrears of land revenue.

(2) On receipt of such application the Collector may, subject to the provisions of sub-rules (4) and (5) and after such enquiry as he may deem necessary, permit the transfer if he is satisfied that the transaction is *bona fide*, or refuse to permit the transfer for reasons to be recorded in writing.

(3) The Collector shall subject to sub-rule (2), permit the transfer only in a case where the transfer will not contravene the provisions of any law (including rules made thereunder) for the time being in force and any of the following conditions is satisfied, namely :—

- The land is being sold, gifted, exchanged, leased or assigned in favour of a person who *bonafide* requires the land for an approved non-agricultural purpose.
- The land is being sold, gifted, exchanged, leased or assigned in favour of an industrial undertaking which requires the land for an agricultural purpose directly connected with the industrial operation carried out by such undertaking.
- The land is being sold, gifted, exchanged, leased or assigned in favour of an educational charitable or public religious institutions.
- The land is being sold, gifted, leased or assigned in favour of a Co-operative Farming Society.

- (e) The land is being sold in favour of an agriculturist and the vendor is either permanently giving up the profession of agriculture or is permanently rendered incapable of cultivating the land personally.
- (f) The land is being given in gift whether by way of trust or otherwise and such gift is made *bonafide* in favour of a member of the occupants family.
- (g) The land is being exchanged—
 - (i) with land of equal or nearly equal value held as occupant and cultivated personally by a member of the same family; or
 - (ii) with land of equal or nearly equal value situated in the same village with the object of forming a compact block or with a view to have better management of the land.
- (h) The land is being leased by a person under disability in accordance with the provisions of section 32 of the Dadra and Nagar Haveli Land Reforms Regulation, 1971.

(4) Where the transferor is a member of the Scheduled Castes or the Scheduled Tribes and the transferee is not a member of such Castes, or tribes, the Collector shall not permit the transfer unless he is satisfied that the consideration for the transfer is adequate and that the transfer will not be against the interest of the transferor.

18. *Occupancy Price*.—The occupancy price payable in respect of the grants made under this Part shall be equal to—

- (a) 18 times the annual land revenue assessment payable in respect of the land allotted, where the allottee is a member of Scheduled Castes or a Scheduled Tribes and
- (b) 36 times such assessment in any other case.

Explanation.—Where the allotted land has not been assessed, the assessment shall be as may be determined by the Collector on the basis of the assessment of similar adjacent lands which have been assessed.

19. *Payment of occupancy price*.—(1) The occupancy price payable by a grantee shall be paid by him in 12 equal instalments alongwith the land revenue payable in respect of the land, and the first instalment shall be payable before the first day of the revenue year immediately following the expiration of two years from the date of grant.

(2) Not less than one instalment shall be paid before the expiration of each revenue year following the revenue year on which the first instalment became due.

(3) From the date on which the first instalment becomes due interest shall be charged on the unpaid balance outstanding at the commencement of each year at the rate of 6% per annum.

Explanation.—The grantee may pay one or more instalments at a time.

20. *Forfeiture of land*.—For breach of the conditions of the grant, the land shall be liable to forfeiture subject to refund of amount of occupancy price recovered from the grantee and no compensation shall be paid for improvements, if any, carried out to the land.

Explanation.—Failure to pay the instalment or instalments of occupancy price on the due date or default in payment of land revenue may be treated as a breach involving liability to forfeiture.

21. *Procedure for disposal of land*.—In the disposal of land under this Part, the following procedure shall be followed :

- (1) The Collector or a Mamlatdar who has been duly authorised for the purpose shall select as many villages as possible for the disposal of the lands allotable and shall draw up a detailed time-table fixing dates on which the applications will be received for the grant of land, the dates on which the applications will be considered etc., fixing different dates for different villages.

- (2) The time given for applications shall not be less than one month from the date of publication or the time-table.
- (3) Such time-table shall be given wide publicity by beat of drum in the villages concerned and a copy of the time-table shall also be displayed in a conspicuous place of the village, in the office of the Village Panchayat and in the office of the Mamlatdar.
- (4) If, at the time of application of such timetable, there are already applications for grant of land, notice of such time-table shall, as far as possible, also be given to such applicants if they belong to villages mentioned in the time-table.
- (5) Except as provided in sub-rule (6), every application for the grant of land shall be made to the Mamlatdar and shall contain the following among other particulars, namely :—
 - (a) Name of the applicant (in full);
 - (b) Size of the family on the date of application;
 - (c) whether the applicant is a person enumerated in any of the sub-clauses of sub-section (1) of section 27 of the Dadra and Nagar Haveli Land Reforms Regulation, 1971;
 - (d) whether the applicant is holding any other land in any capacity and, if so, the extent of such holding with details of Survey No., area, etc.;
 - (e) gross annual income of the applicant from all sources.
- (6) Every application for grant of land from a serving member of the Armed Forces or and ex-serviceman shall be made through the Chairman of the District Sailors, Soldiers and Airmen's Board of the district concerned.
- (7) On the day fixed in the time-table published under sub-rule (1) the Collector or the Mamlatdar shall, after making such enquiry as he deems fit, dispose of the land.
- (8) The grantee shall, on grant of the land, make an agreement in Form II and shall be placed in possession of the land granted to him.

22. *Disposal of river bed lands*.—Land situated in the bed of a river and not included in a survey number shall, except as otherwise provided in sections 32 and 60, ordinarily be leased annually by auction to the highest bidder for a term of one year or such longer period as the Collector thinks fit. The accepted bid, that is to say the lease money, shall be deemed to be the land revenue chargeable on such land.

23. *Short leases*.—(1) The Collector may grant cultivable land not included in the list prepared under rule 14 or referred to in rule 22 in lease-hold rights by public auction for a period not exceeding one year on such terms and conditions, including conditions regarding renewal, as may be annexed to the lease.

(2) Where the Collector is of the opinion, for reasons to be recorded in writing that any such land should not be granted by public auction, he may grant it in lease-hold rights on such terms and conditions as may be annexed to the lease :

Provided that the rent in such cases shall not be less than the land revenue assessment.

24. *Relaxation of rules in certain cases*.—Notwithstanding anything contained in the rules in this Part, the Administrator may relax any of the provision of the rules in this Part for application to any special scheme for the settlement of landless agricultural labourers or to any such cases or class of cases in any area or tract in which such relaxation is in his opinion necessary, subject to such terms and conditions as he deems fit.

PART III

*Grant of land for non-agricultural purposes**A. Grant of land for residential use*

25. *Disposal of land for residential use.*—Except as otherwise provided in these rules, the grant of land in occupancy rights for residential use shall be made by the Collector under section 19 read with section 30 by public auction to the highest bidder unless, for good and sufficient reasons to be recorded in writing, the Collector is of the opinion that in any particular case the land should be granted without auction.

26. *Grant of land for housing societies.*—Plots may be granted in occupancy rights by the Collector with the approval of the Administrator to cooperative housing societies constituted under any law for the time being in force on payment of such concessional occupancy price as the Administrator may from time to time fix, having regard to the income of the members thereof.

27. *Grant of land to members of Armed Forces and Govt. servants.*—Plots may, on receipt of an application in that behalf, be granted in occupancy rights for residential use by the Collector with the previous sanction of the Administrator to the serving members of the Armed Forces or Ex-servicemen who are ordinarily resident in the Union territory for not less than 15 years and to Government servants of the Union territory without auction under section 19 read with section 30.

28. *Grant of land to Scheduled Tribes and Scheduled Castes, agriculturists and landless agricultural labourers.*—(1) Plots of size not exceeding 200 sq. metres may, on receipt of application made in this behalf, be granted in occupancy rights by the Collector to agriculturists belonging to Scheduled Tribes and Scheduled Castes and landless agricultural labourers belonging to such Tribes or Castes if they or their family members are not in possession of any house-site of their own.

B. Grant of land for Industrial and Commercial purposes.
29. *Disposal of land for Industrial and commercial purposes.*—The grant of land in occupancy rights for industrial and commercial purposes shall be subject to the conditions prescribed under section 41 and the following conditions, namely:—

- (a) that except with the previous permission of the Administrator the land shall not be sub-divided, nor shall the land or any part thereof be disposed of;
- (b) that the land shall not be disposed of except along with the constructions thereon and the factory plant and other installations, if any, and the land so disposed of shall not except with the approval of the Administrator, be used for a purpose other than the purpose for which it was initially granted;
- (c) that on the disposal of the land along with the factory plant, structures and other installations by way of sale, the Government shall be entitled to half the unearned income, and where such land is sold without any construction aforesaid, the Government shall be entitled to such portion of the unearned income not exceeding ninety percent thereof, as the Administrator may decide;
- (d) that if the Administrator has reason to believe that any misrepresentation or concealment is made in regard to the sale-price, the sale shall be voidable at the discretion of the Administrator.

Explanation.—For the purposes of this rule, un-earned income means an amount equal to the difference between the price realised by way of sale after excluding therefrom the cost of construction of the factory structures or other installations constructed by the vendor and the occupancy price paid at the time of the grant or, as the case may be, the price at which the land was purchased immediately before such sale.

30. *Concessional grants to Co-operative Institutions.*—Plots may be granted in occupancy rights by the Administrator, on the recommendation of the Registrar of Co-operative Societies, to Co-operative Societies (excluding Co-operative Housing Societies and Co-operative Central Bank) for the construction of office-buildings, godowns, starting of factories, processing of agricultural produce and the like on payment of occupancy price equal to 25% of the market value of the land prevalent on the date of grant in cases where

a majority of the members of such society belong to the Scheduled Castes or Scheduled Tribes, and 50% of such value in other cases.

C. Grant of land in lease-hold rights for non-agricultural purposes.

31. *Temporary leases.*—Land may be disposed of by the Collector in lease-hold rights under section 36 by public auction for any non-agricultural purpose for a period not exceeding five years on such terms and conditions as he may annexe to the lease.

32. *Permanent leases for non-agricultural purposes.*—Land may be disposed of by the Collector with the sanction of the Administrator in lease-hold rights under section 36 for any non-agricultural purpose for such period not exceeding ninety-nine years, on such rent and on such other terms and conditions including conditions regarding renewal as may be annexed to the lease.

33. *Grant of land for religious purposes.*—No land shall be granted for construction of temples, churches, mosques or for any other religious purposes nor shall permission under section 42 be granted for change of user of land for construction of such buildings in any occupied land except with the previous sanction of the Administrator.

34. *Conditions of grant of land for non-agricultural purposes.*—(1) Where land is granted in occupancy rights under section 19 read with section 30 for any non-agricultural purpose it shall be used for the purpose for which it is granted and be subject to such conditions as the Collector may annexe to the grant in accordance with provisions of these rules, and to the payment of non-agricultural assessment as may be fixed by the Collector under the provisions of the Chapter VII of the Regulation and the rules made thereunder.

(2) The grantee shall not use the land and any structure erected or to be erected thereon for any purpose other than the purpose for which it is granted, without obtaining the permission of the Collector.

(3) The grantee shall, within three years (or such further period as the Collector may allow) from the date of the grant, erect a structure of a substantial and permanent description on the land, failing which the land shall be liable to resumption on payment of compensation not exceeding the occupancy price paid by the grantee.

(4) The grantee shall construct the structure in accordance with the plan approved and the conditions prescribed by such local authority as may be competent to approve the plan and prescribe such conditions.

(5) Two-thirds of the area of the plot shall ordinarily be left open to the sky, and only one half if the land is, in the Collector's opinion, of a very high value, or the buildings are likely to be inhabited by a poor class of persons and in areas such as bazars which are already densely built-over, and the decision of the Collector on the question whether any land is of high value, any building is inhabited by a poor class of persons or whether any area is already densely built over shall be final.

(6) The grant shall be subject to the provisions of the Regulation and rules made thereunder.

(7) The grantee shall construct the structure after leaving such distance from the roads as the Collector may prescribe, having regard to the locality and situation of the land.

(8) The grant shall be subject to such other conditions as the Collector may under the orders of the Administrator impose.

35. *Form of agreement.*—(1) Except as otherwise provided in these rules, when land is granted in occupancy rights for any non-agricultural purpose under the provisions of this part, an agreement shall be taken in Form III.

(2) While taking an agreement in the form prescribed in sub-rule (1), the Collector may, subject to the general or special orders of the Administrator, if any, annexe such additional conditions or omit or vary such of the conditions in

the agreement prescribed in Form III as may be necessary, having regard to the nature of the grant and the circumstances of the case.

PART IV : MISCELLANEOUS

Grant of encroached lands for agricultural and non-agricultural purposes

36. *Grant of lands encroached upon.*—(1) Subject to the proviso to section 49 and sub-rule (2) of this rule, and subject also to the general or special orders of the Administrator, if any, and if the person making the encroachment so desires, the Collector may grant the land encroached upon to the encroacher either in occupancy rights under section 19 read with section 30 or in lease-hold rights under section 36 on the following, among other conditions, namely :—

(a) Conditions for grant of encroached lands in occupancy rights :—

(i) that the encroacher shall pay fine as required by sub-section (2) of section 48;

(ii) that the encroacher shall pay such penal occupancy price, not exceeding five times the value of the land, as the Collector may in his discretion fix, if the encroacher does not belong to a Schedule Caste or Scheduled Tribe and, subject to rule 37, equal to the occupancy price if the encroacher belongs to Scheduled Caste or Scheduled Tribes;

(iii) that the encroacher shall pay for the entire period of encroachment such penal assessment not exceeding five times the ordinary annual land revenue leviable with reference to the use of land, as the Collector may in his discretion fix, subject to the minimum of two and half times such assessment if the encroacher does not belong to a Scheduled Caste or Scheduled Tribe and, subject to rule 37, equal to such assessment if he belongs to a Scheduled Caste or Scheduled Tribe;

(iv) that the land shall not be used for any purpose other than that for which it is granted without the permission of the Collector.

(v) that the encroacher shall execute an agreement in Form IV.

(b) *Conditions for grant of encroached land in lease-hold rights.*—(i) that the period of the lease will be with retrospective effect from the date of the encroachment;

(ii) that the lessee shall agree in writing to pay rent at not less than 15 per cent, and not more than 25 per cent, of the occupancy price of the encroached land;

(iii) that the lessee shall agree to pay such fine for the unauthorised occupation of the encroached land, as the Collector may determine under sub-section (2) of section 48;

(iv) that the lessee shall agree to vacate the encroached land without compensation if the unauthorised structure is in the opinion of the Collector, substantially altered during the currency of the lease;

(v) that the land shall not be used for any purpose other than that for which it is granted without the permission of the Collector;

(vi) that the lessee shall execute an agreement in Form V (2) The Collector shall, before granting land to the encroacher under this rule, obtain the sanction of the Administrator, in cases where the market value of the land exceeds ten thousand rupees.

37. *Grant of land encroached upon by persons belonging to the Scheduled Castes and Scheduled Tribes.*—(1) Land encroached upon for housing purposes by persons belonging to the Scheduled Castes or Scheduled Tribes, whether individually or in groups, before the commencement of the Regulation may be granted in occupancy rights by the Collector to persons so occupying such land, so however that each encroacher and his family shall not be allotted more than one plot and that one plot shall not normally exceed 200 square metres in area.

(2) Such grants may be made free of occupancy price, fine and penal assessment.

38. *Auction how to be held.*—Wherever it is provided in these rules that the land shall be disposed of by public auction, the provisions of Chapter XI of the Regulation and the rules made hereunder in so far as they relate to holding and conducting the sale, shall apply.

39. *Certificate for grant of land.*—Where any land is granted either in occupancy rights or lease hold rights under the provisions of these rules the Mamlatdar shall issue a certificate in Form VI.

40. *Disposal of small pieces of land.*—Where any agricultural or non-agricultural land is waste or unoccupied because of its small size or awkward shape or situation it may be granted in occupancy rights or in lease-hold rights to the holder of land adjoining such piece of land subject to such terms and conditions and to payment of such occupancy price or rent as the Collector may determine ;

Provided that where there are two or more such holders the holder whose holding is the smallest in size shall be preferred; and where the holdings are equal in area, the allotment shall be made by draw of lots.

CHAPTER V

REGULATION OF CUTTING OF TREES FOR PREVENTION OF EROSION OF SOIL

41. *Cutting of trees prohibited in certain cases.*—No tree within thirty metres of the extreme edge of the bank of any water course, spring or a tank or on any hilly and undulating ground with slopes and containing uncultivable soil or marginal land where economic production of field crop is not possible shall be cut, except with the previous permission of the Mamlatdar granted in accordance with rule 43.

Explanation.—For the purpose of this rule, a water course includes any stream, river, rivulet and nalla in which water is collected during the monsoon or otherwise and which usually retains water upto the end of December, but does not include small temporary channels formed by the runoff of water during the monsoon.

42. *When cutting of such trees may be permitted.*—The Mamlatdar may, on application made by the holder in that behalf, permit the cutting of trees referred to in rule 41 if—

(i) the trees or parts thereof are likely to cause any harm or damage to life or there is likelihood of pollution of drinking water; or

(ii) the trees are dead or dying; or

(iii) the removal of trees is in the best interest of the holder for the production of food crops which may be affected by the shade of such trees on cultivable land under regular food crops.

43. *Disposal of trees vesting in Government.*—Trees, brush wood, jungle or other products vesting in government shall be preserved or disposed of by public auction in accordance with the general or special orders of Collector.

44. *Regulation of cutting of wood from waste-lands.*—(1) Subject to the provisions of sub-rule (2), the inhabitants of the village may take wood for fuel and agriculturists may take such wood as may be required for agricultural implements without payment of any tax, from trees standing in any waste land outside the reserve forest.

(2) The following trees shall not be cut or lopped except with the permission of the Mamlatdar :—

(a) trees required for shade or for any public purposes;

(b) roadside trees, trees in groves and trees around places declared by the Collector as camping grounds;

(c) fruit trees and such other trees as may be specified by the Collector;

(d) trees referred to in rule 41;

(e) trees, the cutting of which is prohibited under any law for the time being in force.

45. *Regulation of cutting of wood from forest reserves.*—(1) In respect of trees standing in lands set apart under sec.

tion 21 for forest reserve, the Collector shall, after making necessary enquiries, ascertain and record the existing privileges of the villagers to cut firewood or timber for domestic or other purposes.

(2) The Collector may from time to time issue instructions to the revenue officers with regard to the time and mode in which the privileges recorded under sub-rule (1) shall be exercised by villagers and such instructions shall be given due publicity in the village.

CHAPTER VI

CONVERSION OF USE OF LAND AND NON-AGRICULTURAL ASSESSMENT

46. *Form of application for permission to convert use of land.*—Every application for permission for conversion of use of land from one purpose to another as provided in section 42 shall be made to the Collector in Form VII.

47. *Conditions on which permission may be granted.*—(1) Permission to convert the use of agricultural land for any non-agricultural purpose or to change the use of land from one non-agricultural purpose to another non-agricultural purpose may be granted by the Collector keeping in view the needs of planned development on the following, among other conditions, namely :—

(a) the grant of permission shall be subject to the provisions of the Regulation and Rules made thereunder;

(b) the land shall not be used for a purpose other than that for which permission is granted;

(c) the applicant shall commence the non-agricultural use applied for within one year from the date of the order made by the Collector in that behalf, failing which, unless the said period is extended by the Collector from time to time, the permission granted shall be deemed to have lapsed;

(d) the applicant shall be liable to pay such altered assessment as may be determined with reference to the altered use under section 103 or, as the case may be, section 107;

(e) any other reasonable conditions which the Collector may deem fit to impose, having regard to the sanctioned use of the land.

(2) Such conditions shall be embodied in the sanad.

48. *Conditions where permission is deemed to have been granted.*—In cases where permission for change of use of land is deemed to have been granted under sub-section (4) of section 42 such permission shall be subject to the conditions provided in rule 47.

49. *Penalty for failure to intimate commencement of non-agricultural use.*—Subject to the maximum amount of penalty of Rs. 500 prescribed by sub-section (6) of section 42, the penalty for failure to inform the date on which the change of use of land commences as required by sub-section (5) of that section shall, if the land is used for a residential purpose, be such amount as is not less than an amount equal to two times the non-agricultural assessment of the land for the period of default, and if the land is used for any other non-agricultural purpose, be such amount as is not less than three times the non-agricultural assessment for the period aforesaid as the Collector may in each such case deem fit to impose.

50. *Grant of sanad.*—Where land is permitted to be used for a non-agricultural purpose, then subject to the provisions of any law for the time being in force a sanad shall be granted to the holder thereof in Form VIII.

51. *Penalties for unauthorised non-agricultural use.*—If any land is used unauthorisedly in contravention of the provisions of section 42, unless the Collector takes action under the next succeeding rule or under rule 53 it shall be lawful for the Collector to require the holder thereof, or any person claiming through or under him to stop such unauthorised use, pay the non-agricultural assessment on the land with reference to the altered use for the entire period of such unauthorised use and such fine, not exceeding eighty times the non-agricultural assessment on the land leviable with reference to the unauthorised altered use, as he may fix.

52. *Regularisation of unauthorised use.*—Where any land is used unauthorisedly in contravention of the provisions of section 42 and the Collector is satisfied that, had the holder applied for necessary permission under that section, his application would not ordinarily have been rejected on any of the grounds specified in clause (c) of sub-section (2) of section 42, the Collector may if the holder so desires, instead of taking action under rule 51, regularise such unauthorised non-agricultural use, subject to the following terms and conditions, namely :—

(i) that the holder shall pay non-agricultural assessment on the land with reference to the holder's dues for the entire period from the commencement of such use;

(ii) that the holder shall pay such fine, not exceeding 10 times the non-agricultural assessment on the land with reference to the unauthorised use, as the Collector may fix;

(iii) that the holder shall abide by the conditions specified in rule 47, in so far as they are applicable, and such other conditions, as the Collector may deem fit to impose.

53. *Continuance of offending unauthorised constructions.*—Where the unauthorised non-agricultural use cannot be regularised under rule 52 and the Collector is satisfied that the demolition of the offending unauthorised construction is likely to cause heavy damage and serious inconvenience and hardship, he may, if the holder so desires and with the sanction of the Administrator, allow such construction to stand, subject to conditions (i) and (iii) in rule 52 and the following additional conditions, namely :—

(a) that the holder shall pay a composition fee not less than fifty per cent of the cost incurred on the offending unauthorised construction or forty times the non-agricultural assessment payable on the land with reference to the altered use, whichever is greater;

(b) that the holder shall agree in writing to demolish the offending unauthorised construction without claiming compensation if, after a reasonable period thereafter, he is asked to do so by the Collector in the public interest, failing which the Collector shall do so at the holder's risk and cost.

54. *Sanad to be granted on regularisation.*—When any unauthorised non-agricultural use is permitted to be continued under rule 52 or 53, a sanad in Form IX shall be granted to the holder.

55. *Non-agricultural assessment.*—Where land assessed to agriculture is used for non-agricultural purposes or vice versa, or being assessed to one non-agricultural purpose is used for another non-agricultural purpose, the assessment fixed upon the land so used shall be altered under sub-section (2) of section 62 of the Regulation, and the alteration shall be made by the Collector in accordance with the provisions of the Regulation and these rules.

56. *Reimposition of agricultural assessment.*—(1) Where any holding which has been assessed, or of which the assessment has been altered for any non-agricultural use, is used for agriculture purposes only, the Collector may, on the application of the holder, withdraw the non-agricultural assessment, and impose either the old agricultural assessment, if any, if the settlement period has not expired, or may in other cases impose an agricultural assessment equivalent to that imposed upon similar agricultural lands in the vicinity of such holding.

(2) Such agricultural assessment shall commence from the first day of the agricultural year next following and shall be subject to the same conditions as to periodical revision and the same rules and provisions of law as if it had been imposed at the ordinary revenue settlement of the village in which the land is situated.

57. *Assessment under section 63.*—Where land held or used for any non-agricultural purpose is assessed under the provisions of section 63, such assessment shall be fixed and revised by the Collector from time to time in accordance with the provisions of Chapter VII of the Regulation and these rules.

58. *Exemptions.*—(1) For the purposes of clause (1) of section 117, lands used by an agriculturist for extracting or canning fruit juice, gur-making, oil-pressing, cotton-ginning or paddy husking or other similar processes utilising the produce of his own fields shall be deemed to be used for occupations subsidiary or ancillary to agriculture.

(2) Lands used for hospitals, hostels, play grounds, parks and gardens office premises of local authorities and gymnasiums or for roads, paths and land set apart in layouts for the benefit of all citizens without distinction of religion, race, caste, sex, place of birth or any of them shall be exempt from the payment of non-agricultural assessment so long as they are used for any of the said purposes and for no other purposes and yield no profit to any person.

(3) In the case of building sites held by Co-operative Housing Societies which are not built upon no non-agricultural assessment shall be levied for the three years subsequent to the date on which possession of the land was taken or till the date on which non-agricultural use of the land begins, whichever is later.

CHAPTER VII

CONSTRUCTION OF WATER COURSES

59. *Application for construction of water course.*—An application under sub-section (1) of section 47 for construction of a water course through the land belonging to a neighbouring holder shall be made in Form X.

CHAPTER VIII

SUSPENSION AND REMISSION OF LAND REVENUE

60. *Definitions.*—For the purposes of this Chapter:—

- (a) "current land revenue" means land revenue payable in respect of any land under section 163 of the Regulation;
- (b) "general calamity" means widespread or general failure of crops in any revenue year caused by drought, floods, failure of rains or excessive or untimely rains, or any other natural calamity and includes total failure of crops due to land in any tract being left unsown because of any recent calamity or an order made under any law by a competent authority;
- (c) "local calamity" means loss of, or damage to, crops or other property in any locality in any revenue year occasioned by hail-storm or fire, or caused by

locusts or by theft or mischief by unknown persons, and includes failure of crops by floods or any other causes specified in clause (b);

(d) "tract" means any part of the Union Territory;

(e) "land revenue" means land revenue assessed under Chapter VI of the Regulation.

61. *Estimate of failure of crops in any tract.*—If the Collector, on receiving any reports, has reason to believe that there has been such a failure of crops in any tract due to a general calamity as to make it probable that relief will be required, he shall cause early enquiries to be made into the condition of such tract, the degree of crop failure in such village or group of homogeneous villages therein and make *anna*-valuation of the estimated outturn of crops according to instructions of the Administrator issued from time to time in his behalf.

62. *Scale of granting suspension.*—The Collector, on making local inquiries and ascertaining the degree of crop failure in any tract as aforesaid, shall, subject to the provisions of rule 63, suspend—

- (a) the whole of the land revenue payable by any person liable under section 161 in respect of his land in such tract if the estimated *anna*-valuation of crops in such tract is four *annas* or less, and
- (b) half of the land revenue so payable, if the estimated *anna*-valuation of crops exceeds four *annas* but is less than six *annas*.

63. *Suspension conditional.*—Suspension granted under these rules shall be conditional upon the payment of the amount of land revenue which is not suspended.

64. *Suspended land revenue, when recoverable.*—No land revenue payable in respect of any land which has been suspended shall ordinarily be collected in the manner provided in rule 65 until the harvest of crops in such land in subsequent years (corresponding to the one which failed) has been reaped in the affected tract.

65. *Recovery of suspended land revenue.*—Where any land revenue suspended in respect of any land in any year is not remitted under rule 66, then, if the harvest of crops referred to in the preceding rule in any subsequent year is of the *anna*-valuation specified in column 1 of the table below, the current land revenue payable in respect of such land and the suspended land revenue payable in respect thereof shall be full, half or nil as indicated in columns 2 and 3 of the table.

TABLE

<i>Anna</i> —valuation of crop	Proportion of recoverable land revenue	
	Current	Suspended land revenue
1	2	3
11 <i>annas</i> and over	Full	Full
8 <i>annas</i> and less than 11 <i>annas</i>	Full	Half
6 <i>annas</i> and less than 8 <i>annas</i>	Full	Nil
Over 4 <i>annas</i> and less than 6 <i>annas</i>	Half	Nil
4 <i>annas</i> and less	Nil	Nil

66. *Remission of land revenue.*—All suspended arrears of land revenue which are either in excess of two years land revenue or more than three years old shall ordinarily be remitted by the Collector irrespective of the monetary condition of any holder, the oldest arrears being remitted first.

67. *Relief in local calamities.*—(1) When the Collector is satisfied on inquiries made in any year in any tract that there has been a local calamity, he may, after taking into account the resources of the owner of the crops affected by such local calamity, by an order in writing,—

- (a) if there is a total loss of crops or extensive damage to other property, grant remission in whole or in

part of land revenue in that year, as he may deem proper, after taking into consideration the circumstances of each case;

- (b) in cases not falling under clause (a), grant suspension in whole or in part of land revenue after taking into account the extent of loss occasioned by such calamity.

Explanation.—(1) For the purposes of this sub-rule, any question as to the extent of damage or loss due to a local calamity in any tract in any year shall, subject to the provisions of the Regulation, be decided by the Collector.

(2) The provisions in rule 65 shall apply to the recovery of land revenue suspended under clause (b) of sub-rule (1).

68. *Collector to furnish information to Administrator about suspensions and remissions.*—The Collector shall furnish to the Administrator every year information about suspensions and remissions granted by him under these rules during the preceding year.

CHAPTER IX

REVENUE SURVEYS

69. *Survey numbers and sub-divisions.*—(1) Every holding not less in area than the minimum fixed under section 76 shall be separately measured, classified and defined by boundary marks, and the assessment thereon recorded in the land records as a survey number.

(2) Every holding of which the area is less than the minimum fixed under section 76 shall be separately measured and classified and the assessment thereon recorded, in the land records as a sub-division of that survey number in which it is directed to be included; it may also be separately demarcated, if the Collector so directs, provided that the Collector may require the person interested in such holding to pay in advance the costs, or such portion of the costs as he thinks fit, of so demarcating the holding.

70. *Records on area and assessment.*—The area and assessment of lands surveyed and assessed to land revenue shall be recorded and maintained in Form XI if the land is used for an agricultural purpose and in Form XII if the land is used for a non-agricultural purpose.

71. *Records on measurements.*—All measurements shall be recorded in such manner as the Collector may direct and the records shall be preserved permanently.

72. *Village maps.*—Village maps shall be prepared under the orders of the Collector showing each survey number and its boundary marks and such other details as may be specified by him, subject to the general or special orders of the Administrator, at the time of each survey.

73. *Correction of errors and recording of changes.*—(1) For all the lands which have in the past been surveyed or assessed or which shall hereafter be surveyed or settled under the provisions of the Regulation and these rules, it shall be the duty of the Collector—

- (a) to cause to be corrected in the land records any arithmetical or clerical error, whenever discovered;
- (b) to cause to be incorporated punctually in the land record all changes in boundaries, areas, tenures and assessments either on survey numbers or their sub-divisions which are made under orders of any competent authority under the Regulation and these rules or any other law;

Provided that where the assessment on any survey number has been fixed by a declaration under section 95, such assessment shall not be increased upon the discovery of any mistake in classification until the terms of such declaration expires.

(2) Detailed instructions and forms shall be drawn up and maintained by the Collector, subject to the orders and the approval of the Administrator from time to time, for the proper carrying out of this rule.

74. *Sub-divisions of survey numbers.*—(1) Before field operations for division of a survey number into a sub-division are commenced a general notice shall be issued by the Mamlatdar and posted in the village Chavdi and proclaimed by beat of drum stating that the sub-divisions of survey number in the village are about to be measured according as they have been divided by the holders.

(2) Individual notices shall be served by the Talathi upon the holders specifying the numbers or parts of numbers which are to be measured and the date on which the measurement operations will commence, and calling upon the holders to be present in the field on the date so notified.

75. *Boundaries to be laid down.*—(1) Where there is no dispute, a survey officer shall, after recording a memo to

that effect, lay down the boundary for each sub-division according to the statement made by the holders.

(2) Where there is any dispute, the boundary to which it relates shall be measured and mapped in accordance with the claims of both the disputants, and the dispute entered in a register of disputed cases. After the dispute has been settled under the provisions of the Regulation and the Rules made thereunder, the map shall be corrected accordingly and the areas finally entered into the land records.

76. *Fees.*—The fees to be recovered for making sub-divisions in cases to which clause (b) of section 146 applies shall, unless the Administrator in any case otherwise directs, be such as will cover the entire cost of measuring, assessing and mapping the sub-divisions; and such fees shall be assessed by the Collector.

77. *Apportionment of land revenue assessment.*—(1) Where, as the result of a revenue survey, an existing holding is converted into a survey number the existing assessment of that holding shall be taken as the assessment of that survey number for the purposes of rule 70.

(2) Where an existing holding is divided into two or more survey numbers, the existing assessment of the holding shall be apportioned among the survey numbers, having regard to the area of each survey number and the assessment rate for the time being in force of the land of the class comprised in that survey number.

(3) Where a survey number is divided into two or more sub-divisions, the assessment determined for that survey number under sub-rule (1) or sub-rule (2) shall be apportioned among the sub-divisions in the manner provided in sub-rule (2).

(4) The fractions of a palsa in the assessment apportioned to each survey number under sub-rule (2) or sub-rule (3) shall be rounded to the next higher or lower palsa, so that the aggregate of the assessments for all survey numbers is equal to the assessment for the entire holding and the aggregate of the assessments for all sub-divisions is equal to the assessment for the parent survey number.

(5) The assessment for each survey number and sub-division, as apportioned under this rule shall be published in the village.

CHAPTER X

PARTITION OF HOLDINGS

78. *Application for partition.*—(1) An application by a co-holder for partition of his share in a holding under sub-section (1) of section 79 shall contain the following particulars:—

(a) the area of each field constituting the holding and its survey number and sub-division number as recorded in the Record of Rights;

(b) the land revenue of the holding;

(c) the names and addresses of the holders and the extent of their shares.

(2) The application shall be accompanied by a copy of the relevant entries in the Record of Rights.

79. *Issue of notice and proclamation.*—(1) On receipt of the application, the Collector shall hear the applicant in person on any day of which due notice has been given to the applicant or on any day to which hearing may be adjourned, and after hearing the applicant, he shall cause to be served in accordance with the provisions of section 215, a notice in Form XIII appended to these rules on all the other co-holders requiring them to appear before him and state their objections, if any, on a day to be specified in the notice.

(2) The Collector shall also cause a proclamation in Form XIV appended to these rules to be published, and a copy of such proclamation to be posted at the headquarters of the Taluka, and in the village in which the holding is situated and, if necessary, cause a copy to be sent to the Co-operative Bank operating within the area in which the holding is situated.

80. *Power of Collector to reject partition.*—If, after hearing the applicant, the co-holders and any other persons who appear, it appears to the Collector that there is sufficient reason for disallowing the partition, he may, by order in writing stating the reasons reject the application.

81. (1) If the Collector does not reject the application, he shall effect the partition in such a manner as to ensure that the yield of the area allotted to each party is in proportion to his share in the holding.

(2) Subject to sub-rule (1) whole survey numbers or subdivisions of survey numbers and, as far as possible, compact areas shall be allotted to each party.

82. *Apportionment of assessment.*—The assessment of the holding shall be distributed in the manner provided in rule 77.

83. *Procedure before confirmation of partition.*—After the partition has been completed, the Collector shall hear any objections which the parties may make, and shall either amend or confirm the partition. The partition shall take effect from the commencement of the agricultural year next following the date of such amendment or confirmation of the partition.

84. *Recovery of expenses of partition.*—Expenses of partition shall be recoverable by the Collector from the parties in the manner provided in sub-section (5) of section 79.

85. *Partition under decree of civil court.*—When any holding is ordered to be partitioned under any decree or order of a civil court, the provisions of rules 82, 83 and 84 shall apply as they apply in relation to partition of a holding on the application of a co-holder.

CHAPTER XI

BOUNDARIES AND BOUNDARY MARKS

86. *Authorised boundary marks and survey marks.*—The following boundary marks and survey marks are authorised :—

(A) Boundary Marks :—

Continuous Marks :

- (1) A boundary strip
- (2) Dhuras, Sarbandhas or hedges and other permanent continuous structures such as walls.

Discontinuous marks :

- (3) Roughly dressed long stones
- (4) Pillars of cut stone, or masonry pillars of cement, mortar or burnt brick in cement or mortar embedded in the ground with the foundations stepped down
- (5) Prismatic, rectangular or conical earthen mounds or cairns (burnz) of loose stones
- (6) Any other marks found suitable for special localities which may be sanctioned by the Collector ;

Provided that the Collector may permit the holders of land to substitute for one kind of mark any other authorised mark within such limits as the Collector may by any general or special order define in that behalf.

(B) Survey Marks :—

- (1) Roughly dressed traverse stones of such size as may from time to time be prescribed by the Collector, with a cross cut on the head.
- (2) Any other survey mark that may be prescribed by the Collector to suit the requirement of any area specified by him in this behalf.

87. *Maintenance of continuous boundary marks.*—(1) The boundary strips, dhuras or ridges shall not be ploughed up or otherwise injured by cultivation; they shall also be kept free from tree growth, any young plants being destroyed at inspection time.

(2) The minimum width and height of boundary strips and of dhuras or sarbandhas shall be as follows, namely :—

Boundary strip—In dry crop lands, 0.46 metre wide and 0.61 metre high. In rice and garden lands, 0.23 metre wide 0.61 metre high.

Dhuras or Sarbandhas—1.22 metres wide and 0.61 metre high :

Provided that—

(i) where the boundaries of such lands are well defined by banks, hedges or the like the actual width of the strip covered by such bank, hedges or the like shall be sufficient for the purpose of this rule;

(ii) where the boundary of a survey number also forms the boundary of any adjoining State, the minimum width prescribed above shall be maintained for the portion of the boundary strip on the side of the union territory; and

(iii) where village boundaries have been defined at the time of survey by double lines of boundary marks, the whole of the intermediate strip shall be maintained as a boundary strip.

88. *Maintenance of discontinuous marks.*—(1) Where the length of the boundary between the corners of a survey number is less than 252.46 metres, no discontinuous mark should be raised in the interval; but in case there are bends, a stone should be fixed at each bend.

(2) Where the line of boundary between the corners of a survey number is more than 252.46 metres and less than 504.92 metres in length, one discontinuous mark should be raised midway between the corners, and stones should be fixed at all intermediate bends, if any. It is not however, necessary to place the intermediate mark exactly half-way between the corners.

(3) Where the line of boundary between the corners of a survey number is more than 504.92 metres in length, an intermediate mark should be raised at every 201.17 metres interval.

89. *Demarcation of road passing through survey number.*—Where a cart-track or foot path or a road for laden animals passes through a survey number, stones of such size as may be prescribed by the Collector shall be fixed on the common boundary at points where such a foot-path or road enters and leaves a survey number : such stones shall be fixed on both sides of the common boundary of survey numbers traversed by such roads.

90. *Village road boundaries.*—In the case of a road, the boundary between the land held by a person and the village road adjoining it shall be demarcated by fixing stones or planting trees, irrespective of the fact whether the road passes through any survey number or not. Fixing of stones or planting of trees should be done within the area of the private land adjoining such road. Every stone to be fixed shall be 0.15 metre square and 0.76 metre in length, of which at least 0.61 metre shall be embedded in the ground.

91. *System of single boundary marks when to be introduced.*—In villages where not less than half the number of holders of land therein desire it, a system of single boundary marks may be introduced in place of those specified in rule 86. Such single boundary marks may be of the following description :—

- (a) Stones not less than 0.91 metre long and 0.18 metre square embedded in rubble and mortar with not more than 0.30 metre above the ground level;
- (b) Masonry pillars of cement, mortar or burnt brick in cement mortar 0.30 metre square and 0.91 metre high of which 0.61 metre should be embedded in the ground with the foundations stepped down;
- (c) Of such other description as may be approved from time to time by the Administrator.

One such boundary mark shall be fixed at each corner of a survey number and at each bend and in the middle of each boundary exceeding 252.46 metres in length.

92. *Cost of staff, material and labour to be recovered from holders.*—In order to cover the cost of any staff employed for determining the position of single boundary marks, fee not exceeding the following scale may, if the Collector so

directs, be recovered from the holder of each survey number, in addition to the cost of materials and labour :—

- (a) Survey numbers on which the land revenue assessed is less than Rs. 10.00—Rs. 2.
- (b) Survey numbers on which the land revenue assessed in Rs. 10, or more—Rs. 4 :

Provided that in cases of survey numbers which have been already divided into sub-divisions, the fees and cost levied under this rule shall be distributed amongst the holders of sub-divisions in proportion to land revenue assessed on each sub-division.

93. *Determination of responsibility for maintenance of boundary marks.*—(1) The responsibility of the several land holders for the maintenance of boundary marks on a common boundary lies on the holder of the survey number which is numerically lowest :

Provided that the Collector may declare two or more holders jointly responsible for the maintenance of boundary marks or make such distribution as appears equitable or may recognise the existing customary distribution and his decision shall be recorded in the survey papers :

Provided further that, where any survey number is unoccupied or is assigned for public or Government purposes, the responsibility for repair of the marks on its periphery shall lie on the holder on the other side of the boundary except that where the marks in disrepair lie between survey numbers each of which has no holder except the Government, repairs shall be made at Government expense, and in such cases the village servants shall be responsible for their maintenance.

(2) Within each survey number, the holder or holders of each sub-division shall be responsible for the marks, if any have been prescribed, on the periphery of that sub-division to the same extent as the holder or holders of survey numbers are responsible under sub-rule (1).

(3) A mark which is on the common boundary of two or more villages shall be repaired by the holders of the land in the village in which boundary marks are under restoration when the marks are found to be out of repair.

94. *What boundary marks to be considered out of repair and how to be repaired.*—The following boundary marks shall be considered out of repair and shall be repaired in the manner prescribed for each kind, as follows, namely :—

(a). A continuous mark (strip, sarbandh, dhura, hedge or any like marks) if it deviates more than 0.91 metre from the true straight line of the boundary. A boundary strip of width less than that prescribed in rule 87. *Mode of repair* : Either the deviation shall be rectified or the continuous mark not being a boundary strip must be replaced or supplemented by discontinuous marks. The boundary strip shall be made 0.46 metre or 0.23 metre wide and 0.61 metre high throughout.

(b) Any conical mound or cairn less than 0.76 metre in height and 1.93 metres in diameter at the base. *Mode of repair* : It shall be raised to 0.91 metre in height and 1.83 metres in width at the base.

(c) Any rectangular mound less than 0.61 metre high or less than 1.52 long and 1.22 metre wide at the base. *Mode of repair* : The mound shall be raised to full dimensions, that is 0.76 metre high, 1.83 metres long and 1.52 metres wide at the base.

(d) Any mound, conical or rectangular, within 1.22 metre of which earth has been dug for repairs, and such excavation has affected the stability of the mark or allows water to lodge. *Mode of repair* : The excavation shall be filled up.

(e) Any pillar (i) less than 0.30 metre square or 0.69 metre in depth (ii) broken down, or (iii) rising less than 0.10 metre or more than 0.23 metre inches clear above the adjacent ground level. *Mode of repair* (i) Replace by one of proper dimensions, (ii) rebuild, (iii) raise the pillar or clear away or make-up the ground.

(f) Any stone less than 0.61 metre long and 0.15 metre thick. *Mode of repair* : A stone of proper size shall be substituted.

(g) Any stone out of the ground or buried less than two thirds of its length and loose. *Mode of repair* : The stone shall be replaced or fixed firmly.

(h) Any mark considerably out of proper position or so repaired or erected as to indicate a materially incorrect line of boundary. *Mode of repair* : The mark shall be correctly placed.

(i) Any mark overgrown or surrounded by vegetation of any kind so as not to be easily visible. *Mode of repair* : The vegetation shall be cleared away, until the mark is easily visible.

(j) Any sarbandh, dhura or continuous embankment less than 0.61 metre high and 1.22 metre wide at the bottom. *Mode of repair* : The sarbandh shall be made full 0.61 metre high and 1.22 metre wide at the bottom throughout, unless the occupant prefers the substitution of authorised discontinuous marks.

(k) Any hedge or other continuous mark which by reason of want of continuity or disrepair fails to define the boundary. *Mode of repair* : The necessary renewals shall be made or other authorised marks substituted.

(l) Any boundary strips or ridge which has been ploughed up or otherwise obliterated, or the dimensions of which are less than those prescribed by rule 87. *Mode of repair* : The landholder shall be ordered to restore the strip or ridge within a prescribed period by leaving it unploughed and undisturbed and on his failure to comply, he may be punished with fine not exceeding one hundred rupees as the Collector may, after giving such person an opportunity to be heard, deem fit to impose.

(m) Missing marks. *Mode of repair* : New marks shall be erected :

Provided that, in any case, where a boundary mark cannot, owing to flooding of a nala, or river, the breaking away of the bank or other cause, be kept in repair, another kind of authorised mark may be substituted. Where even that is impracticable, the direction of the boundary shall be fixed by a pair of discontinuous marks erected at an adequate distance back from the abandoned position, either both on the same side, or one on each opposite side thereof.

95. *What survey marks to be considered out of repair and how to be repaired.*—The following survey marks shall be considered to be out of repair and shall be repaired in the manner prescribed for each kind as follows :—

(1) Any stone less than such size as may from time to time be prescribed by the Collector, with a cross cut on the head. *Mode of repair* : A stone of proper size shall be substituted.

(2) Any stone out of the ground or displaced from its correct position or buried less than two thirds of its length and loose. *Mode of repair* : The stone shall be replaced or fixed firmly at its correct place.

96. *Demarcation of boundary marks on application.*—(1) If the holder of, or any person interested in, a survey number or a sub-division wishes to have it demarcated and boundary marks constructed therein, he may apply in writing to the Collector.

(2) The application shall be accompanied by fees according to the scale prescribed from time to time in that behalf by the Collector.

(3) On receipt of the application, the Collector shall cause the survey number or sub-division to be measured and get the boundary marks fixed thereon in accordance with the provisions of these rules, on the basis of measurements noted in the land records.

(4) The cost of material and labour incurred for fixation of boundary marks shall be paid by the holder of the survey number or sub-division.

97. *Survey Officers to furnish details of boundary marks to Collector.*—On the introduction of a survey settlement or survey for the record of rights or of final town planning scheme or improvement scheme or a scheme for the consolidation of holdings under the provision of the Regulation or

of any law for the time being in force in the Union Territory, the Survey and Settlement Officer shall furnish to the Collector a map, scheme and statements showing the position and description of the boundary marks erected or laid down by or under orders of the Collector. It shall be the duty of the Survey and Settlement Officer to amend these maps in accordance with any subsequent alteration of boundaries in a revision survey or any other authorised occasion.

98. Plan for straightening of crooked boundaries.—(1) A copy of the plan prepared by the Survey and Settlement Officer for the purpose of straightening or regularising the boundary under section 130 shall be published in the village by the Survey and Settlement Officer at the chavdi or other prominent place in each village and in the office of the Survey and Settlement Officer. It shall also be proclaimed in the village by beat of drums that a plan for straightening or regularising the boundaries has been prepared and published and that objections, if any, should be submitted to the Survey and Settlement Officer within 15 days from the date of publication of the plan and its proclamation. An individual notice will also be served on the person interested as ascertained from the Record of Rights.

(2) In revising the boundaries, the Survey and Settlement Officer shall take into consideration the natural line of the land on both the sides of the boundary line and the proportionate benefit that may accrue, the interest of better cultivation and the reduction in the number of boundary marks by the proposed regulation of straightening of boundaries.

(3) (a) The village Committee to be constituted under sub-clause (i) of clause (a) of sub-section (7) of section 130 shall consist of, if the number of persons who suffer loss of land on account of the revision of boundary under sub-section (3) of section 130 including the applicant (hereinafter referred to as "the persons interested"):

- (i) does not exceed ten, three members;
- (ii) exceeds ten but does not exceed twenty, five members;
- (iii) in any other case, seven members.

(b) No person shall be eligible to be elected on the committee unless such person is ordinarily residing in the village where the field or holding the boundary of which is being revised is situated and he is more than 21 years of age.

(c) Not later than seven days before the date on which an election is to be held at a meeting of the persons interested, the Survey and Settlement Officer shall issue a notice of such meeting to the persons interested.

(d) The decision of the Survey and Settlement Officer on any matter connected with the election shall, subject to an appeal to the Survey and Settlement Officer to be made within seven days from the date of the election, be final.

(4) The Survey and Settlement Officer shall select one of the members of the village committee to be the Chairman of the Committee. The village committee shall meet as and when required by Survey and Settlement Officer and shall decide the amount of compensation payable by and recoverable from each person by a majority of votes of the members present and voting. The Chairman shall have a casting vote in case of equality of votes. The quorum for a meeting shall be three.

(5) Where the persons concerned fail to elect the representatives, the Survey and Settlement Officer shall, after recording the reasons in writing, nominate the representatives to the village committee.

(6) The committee shall stand dissolved after the amount of compensation payable is determined by the Committee.

99. Programme for repairs of boundary marks and survey marks.—(1) A quinquennial programme for the repairs of the boundary marks and survey marks shall be fixed sufficiently in advance by the Collector. In selecting the villages for the programme, the Collector shall select them by Circle so that each Circle Inspector will have 8 to 10 villages, or such number as the Collector may determine, in his charge for this work, every year.

(2) In villages where boundary marks are due for repairs in accordance with the programme fixed under sub-rule (1), a general notice shall be given by the Mamlatdar not later than 1st November, stating that the boundary marks and survey marks are due for repairs, intimating what the authorised marks are and asking the holders to take necessary steps to complete the repairs by 30th November, next following. This date shall apply both to the Khariff and Rabi villages. The notice shall be pasted in the chavdi and published by beat of drum.

(3) Between 1st December and 31st December, the Circle Inspector accompanied by the Talathi and as many holders as possible, shall jointly inspect every village and shall prepare a list of defective or missing marks. The Talathi shall thereafter issue individual notices to the holders concerned in Form XV, requiring them to carry out the repairs within a period of one month from the date of notice, failing which the repairs would be carried out by Government at the cost of the holders.

(4) After 31st December, the Talathi shall proceed to check the repairs to the marks actually carried out by the holders as required by the notice under sub-rule (3), and shall strike off from the list of defective and missing marks, all the marks which are duly repaired or constructed. Not later than 1st February, the Talathi shall submit to the Circle Inspector an amended list of marks which are still to be repaired or constructed, and simultaneously give a notice to the holders of survey numbers of sub-divisions included in the amended list asking them to select a contractor to repair or reconstruct the marks within ten days of the notice. If a contractor is selected, the Talathi shall get the work completed before the 31st March, next following.

(5) If no contractor is selected by the holders, the Talathi shall send a report to the Mamlatdar through the Circle Inspector before the 15th February for taking requisite orders. On receipt of such a report, the Mamlatdar may, after such enquiry as may consider necessary, order the Talathi to have the marks required or constructed either by hired labour or through a contractor to be appointed by the Mamlatdar so as to complete the work before 31st March and recover the cost from the holders concerned.

CHAPTER XIII

RECORD OF RIGHTS

100. *Record of Rights how to be maintained.*—(1) The Record of Rights shall be maintained in two parts in Forms XVI and Form XVII.

101. *Issue of notices.*—(1) Where no record of rights prepared in accordance with the provisions of the Regulation exists in respect of land in any village and it is to be prepared for the first time, the Talathi of such village shall issue a public notice in Form XVIII calling upon all persons who have any interest in the lands in such village to furnish to him within 30 days from the date of the published notice, either in writing or orally, information on all or any of the following points, namely:—

- (i) the survey number and sub-division number, if any, of the land in which he has any interest as holder, occupant, owner, tenant, landlord, mortgagee, Government lessee, assignee of rent or revenue or in any other manner;
- (ii) the nature of interest in the land, that is to say, whether the land is held as holder, occupant, owner, tenant, landlord, mortgagor or assignor or in any other manner;
- (iii) the tenure on which the land is held, that is to say, whether the land is held as occupant or Government lessee;
- (iv) the encumbrance or charge, if any, on the land, and the name of the holder of such encumbrance or charge.

(2) The notice under sub-rule (1) shall be published in the village by beat of drum and by affixing copies thereof in the office of the Panchayat of the village and in the Chavdi.

102. *Preparation of rough copy of first Record of Rights.*—

(1) The Talathi shall, on the basis of the information received under rule 101 or such information as he may collect by making local inquiry, prepare a copy of the record of rights in Form XVI and Form XVII.

(2) If from the information received under rule 101 or collected by making local inquiry, it appears to the Talathi that there are conflicting claims in respect of any entry proposed to be made in the rough copy, the Talathi shall leave such entry blank and shall record the particulars of conflicting claims in the register of disputed cases, which shall be maintained in Form XIX.

(3) The rough copy of the record of rights prepared under sub-rule (1) shall, after being checked by the Circle Inspector or a survey officer not below the rank of a Circle Inspector, be published by issuing a notice in Form XX in the manner provided in sub-rule (2) of rule 101 for inviting objections, if any, to the particulars entered in the rough copy.

(4) If any objection to any particulars entered in the rough copy of the record of rights is received, the Talathi shall record it in the register of disputed cases and shall serve individual notices in Form XXI, on all persons likely to be affected by, or interested in the objection and inform them by such notice of the nature of the objection and call upon them to be present at the place, on the date and at the time fixed for hearing the objection and for taking decision in respect thereof. Similar notices shall also be served on all persons likely to be interested in the disputes entered in the register of disputed cases under sub-rule (2).

(5) On the date, at the place and the time fixed for hearing the objections, any revenue or survey officer not below the rank of an Aval Karkun shall read in the presence of the persons assembled, all the particulars entered in the rough copy of the record of rights for the village. He shall then inform them of the lands in respect of which objections and disputes have been raised, and ask them, whether they admit the entries in respect of the remaining lands. If they admit such entries, the revenue or survey officer aforesaid, shall record a remark to the effect against such entries in the rough copy. If in respect of any entry, any error is pointed out by any person, and the error is not disputed by anybody else, the entry shall be corrected and a remark to that effect shall be recorded in the rough copy of the record of rights.

(6) After following the procedure laid down in sub-rule (5) and after verifying whether notices were duly served by the Talathi as required by sub-rule (4), the said officer shall proceed to decide objections recorded in the register of disputed cases, and record therein his decision in respect of each objection, and shall announce his decision to the persons assembled. Where the said officer finds that notices were not duly served by the Talathi as required by sub-rule (4), he shall postpone his decision till the procedure laid down in that sub-rule and in sub-rule (5) is followed.

(7) After the decisions are taken by the revenue or survey officer under sub-rule (6), the Talathi shall correct the entries, or, as the case may be, fill in the blank entries in the rough copy of the record of rights in red ink according to the said decisions, and shall also prepare a fair copy of the record of rights as so corrected.

(8) The fair copy of the record of rights prepared under sub-rule (7), shall be published by issuing a notice in Form XXII in the manner provided in sub-rule (2) of rule 101 for inviting objections if any, to the particulars entered in the fair copy.

(9) If any objection to any particulars entered in the fair copy of the record of rights is received from any person, the Talathi shall acknowledge the receipt thereof and shall serve notices on all other persons likely to be affected by, or interested in, the objection informing them of the nature of the objection and calling upon them to be present at the place and on the date and at the time fixed for hearing the objection and taking decision in respect thereof.

(10) On the date, at the place and time fixed for hearing the objections, any revenue or survey officer not below

the rank of a Deputy Collector shall consider the objections received by the Talathi and shall take decisions thereon after hearing the persons affected by, or interested in, the objection. After the decision is taken the said officer shall get the entries in the fair copy of the record of rights corrected in red ink in accordance with the decision taken by him, and authenticate such corrections by his signature and date in the presence of any revenue or survey officer. When any clerical errors are brought to the notice of the said officer, he shall rectify such errors in a like manner.

(11) After the fair copy of the record of rights is corrected as aforesaid, such revenue or survey officer shall cause such portion thereof as the person present may desire to be read out in their presence, and after carrying out in the manner provided for in sub-rule (10), such correction as he may deem necessary shall put his signature and date on the fair copy of the record of rights in the presence of any revenue or survey officer and add at the end of the copy a certificate that it has been duly approved and promulgated.

103. *Re-writing of record of rights.*—(1) The record of rights shall ordinarily be re-written after a period of ten years. The Sub-Divisional Officer may direct the record of rights to be re-written at the end of a shorter period if he consider that in view of the manner of entries made in the record of rights in respect of a large number of survey numbers or subdivisions of survey number in the village, it will be difficult for the Talathi to make any further entries therein.

(2) When the record of rights is to be re-written the Talathi shall transfer the entries in the respect of rights as they stand up-to-date to fresh copies of record of rights in Forms XVI and XVII. The record of rights so prepared shall be checked by the Circle Inspector.

(3) After the record of rights is so prepared, the Talathi shall publish, in the manner prescribed in sub-rule (2) of rule 101, a notice informing all persons interested in the lands in the village that the old record of rights and the new record of rights are kept open for inspection on the dates and times and at the place (being a place convenient to the villagers to be specified in the notice and that the new record of rights will be promulgated by a Revenue or Survey Officer not below the rank of a Deputy Collector on the date and time to be specified in the notice, and calling upon them to be present on the occasion.

(4) On the appointed date, time and place the officer concerned shall check the entries in the new record of rights with the corresponding entries in the old record of rights and correct the entries where necessary. He shall then proclaim to the people assembled that with effect from the said date the new record of rights in Forms XVI and XVII shall be the record of rights of the village.

104. *Responsibility for maintenance of record of rights and register of mutations.*—In areas other than those surveyed under section 119, the Mamlatdar shall be responsible for the up-to-date maintenance of the record of rights and of the register of mutations in all villages within his jurisdiction, and for that purpose, for the timely and systematic compliance of the provisions hereinafter appearing.

105. *Form for acknowledgement of report under section 142.*—The acknowledgement of the receipt of the report made by any person under section 142 shall be made in Form XXIII.

106. *Form of Register of mutations.*—A register of mutations shall be maintained in Form XXIV.

107. *Talathi to make entries in register of mutations.*—As soon as an intimation regarding registration of documents referred to in section 147 is received by a Talathi, he shall make separate entries in the register of mutations in respect of the mutations effected by each of the said documents.

108. *Recording mutations in certain cases.*—Where rights in any land are acquired as a result of transfer of such land, and such transfer required the previous permission of the Collector, the Talathi shall require the person making the report to him under section 142 to produce before him the order by which such permission was given of a certified copy thereof and where such order or copy is produced, the Talathi shall record this fact at the end of the entry in column 2 of the mutation register.

109. *Pencil indications in record of rights.*—Whenever an entry is made in the register of mutation under sub-section (1) of section 143 in relation to any land, the Talathi shall indicate, in pencil, the number of that mutation entry against the entry relating to that land appearing in the record of rights with the remark that the mutation entry has not been duly certified.

110. *Form of intimation to be given under section 143.*—The intimation which a Talathi is required to give under sub-section (2) of section 143 shall be in Form XXV.

111. *Form of acknowledgement for objections.*—The acknowledgement for objections received in respect of entries made under section (1) of section 143 shall be given in Form XXVI.

112. *Form of register of disputed cases.*—The register of disputed cases referred to in sub-section (3) of section 143 shall be maintained in Form XIX.

113. *Procedure to be followed for certifying entries in register of mutations and deciding disputes.*—(1) Before proceeding to decide disputes entered in the register of mutations, the certifying officer shall inform the Talathi to that effect in Form XXVII. On receipt of such information and at least fifteen days before the date fixed for deciding disputes entered in the register of disputed cases, and for certifying entries made in the register of mutations, the Talathi shall issue notices in Form XXVIII to all persons to be interested in such disputes or entries and call upon them to be present at the place, on the date and at the time fixed for deciding disputes and for certifying entries.

(2) On the date and at the place and time fixed for deciding disputes, the certifying officer shall read out the mutation entries which are undisputed in the presence of persons present.

(3) If the correctness of such entries is admitted by all the persons present, the certifying officer shall record such admission in the register of mutations, and add an endorsement under his signature that the entries have been duly certified.

(4) If any error in respect of any entry entered in the register of mutations is noticed by the certifying officer, and such error is admitted by the persons interested in the entry who may be present, the certifying officer may correct that entry and certify the corrected entry as aforesaid.

(5) The certifying officer shall then hold a summary enquiry and decide each dispute entered in the register of disputed cases on the basis of possession, that is to say, if a person actually holds possession under a claim of title, he shall be recorded as occupant or, as the case may be, Government lessee in the register of disputed cases. If there is a doubt as to the actual possession, the person with the strongest title shall be so recorded. He shall also record in the register of mutations, the order passed by him in respect of mutation entry disputed, and make an endorsement under his signature to the effect that the mutation as modified by his order is certified by him. The order shall contain the names of the parties and witnesses and a brief summary of the evidence produced by either side together with his findings, thereon.

114. *Transfer of certified entries from register of mutations to record of rights.*—Immediately after an entry in the register of mutations is certified under rule 113, the Talathi shall record it in ink in the record of rights.

115. *Supervision by Circle Inspector.*—It shall be the duty of a Circle Inspector to visit every village in his Circle and check whether the Talathi has prepared and maintained the mutation register in accordance with the provisions of the Regulation and these rules; and if it has not been so prepared or maintained, cause it to be so prepared and maintained.

116. *Register of tenancies.*—A register of tenancies shall be maintained by the Talathi in Form XXIX for each agricultural year separately. The entries therein shall be tested by the Circle Inspector when he examines the crops, and by other officers of higher rank. When any error is discovered

by any of these inspecting officers, they may correct it and initial the corrected entry :

Provided that no entry shall be corrected unless the persons affected by such entry have been given an opportunity to be heard

117. *Provision regarding intimation to be given by registering officer.*—The intimation to be given to the Talathi and the Mamlatdar under section 147 by a registering officer registering any document under the Indian Registration Act, 1908 shall be given in duplicate in Form XXX separately in respect of lands included in a village. Such intimation shall be given in the 1st week of each month in respect of documents registered in the preceding month.

118. *Other land records.*—The Talathi shall maintain a register of fines and a *hissa patrak* (register of sub-divisions) in Form XXXI and Form XXXII respectively.

CHAPTER XIII

REALISATION OF LAND REVENUE

119. *Land Revenue where and to whom to be paid.*—All payments of land revenue shall be made to the Talathi of the village in which the land in respect of which such revenue is due is situated.

Provided that with the sanction of the Collector such payment may, in special cases, be made into the Government treasury.

120. *Classification of villages for payment of land revenue.*—The Collector shall, for purposes of recovery of land revenue, classify the villages in the territory into two classes, that is to say :—

Class I—Kharif villages,

Class II—Rabi villages.

121. *Dates on which land revenue to be paid.*—Land revenue payable in respect of lands shall be paid in one instalment only, and the dates on which it shall be paid shall be the 15th January in Class I (Kharif) villages, and the 15th April in Class II (Rabi) villages.

122. *Form of notice of demand.*—(1) The notice of demand to be issued under section 169 shall be in Form XXXIII.

(2) Separate notices of demand shall issue against different defaulters.

123. *Form of proclamation and written notice to be issued under section 170.*—The proclamation and written notice to be issued under section 170 shall be in Form XXXIV.

124. *Only portion of occupancy required for satisfaction of demand to be forfeited.*—Where an arrear of land revenue is due in respect of any occupancy, the Collector shall forfeit only such portion of the occupancy as is, in his opinion, required to satisfy the demand on account of the arrear of land revenue.

125. *Remission of arrears of land revenue in certain cases.*—Where any land forfeited for default in payment of land revenue is not disposed of in accordance with the provisions of section 67, the arrear of land revenue payable by the defaulter shall ordinarily be remitted without having recourse to further compulsory process against him.

126. *Form of warrant of distraint of defaulter's movable property and mode of making such distraint.*—(1) For distraining the defaulter's moveable property under section 171, the Collector shall issue a warrant of distraint in Form XXXV to officer referred to in sub-section (2) of that section (hereinafter referred to in this rule as "the distraining officer").

(2) The distraining officer may distrain the defaulter's movable property by actual seizure and shall keep it in his custody or in the custody of any of his subordinates and shall be responsible for the property seized by him :

Provided that, where the movable property seized is subject to speedy and natural decay or where the expenses of keeping its custody are likely to exceed its value, the distraining officer shall cause it to be sold at once in accordance with the orders of the Collector :

Provided further that, where the movable property seized consists of live-stock, agricultural implements or other articles which cannot be conveniently removed, the distraining officer may if the property is not caused to be sold under the preceding proviso, leave it at the instance of the defaulter or any other person claiming to be interested in the property, in the village or at the place where it is distrained—

- (i) in the charge of the defaulter or of the pound-keeper, if any; or
- (ii) in the charge of the person claiming to be interested in the property or of any other person who in the opinion of the distraining officer is respectable and is willing to keep the property in his custody, or such defaulter or pound-keeper, as the case may be, such person entering into a bond with one or more sureties in an amount not less than the value of the property and giving an undertaking to produce it before the distraining officer when called for.

(3) The distraining officer shall make a list of the property distrained and shall obtained thereto the acknowledgement of the person in whose custody the property is left and, if possible, of the defaulter and of at least one person who in his opinion is respectable, in attestation of the correctness of the list. If the property distrained includes both live-stock and other articles, a separate list of the live-stock shall be prepared and attested as aforesaid.

(4) Where the live-stock or other movable property is not left in charge of the defaulter, the expenses for feeding and watering the live-stock or for the safe-custody of the other movable property shall be charged at such rate as the Collector may, by general or special order, fix. The expenses so incurred shall be first charged on the sale proceeds of the property.

127. *Provisions of Civil Procedure Code to apply.*—The provisions of rules 46 to 53 of order XXX of the First Schedule to the Code of Civil Procedure 1908, regarding the attachment of movable property dealt with in those rules shall, as far as may be, apply to the distraint of movable property made under the Regulation.

128. *Attachment of immovable property.*—(1) The attachment of immovable property under section 172 and 173 shall be effected by an order to be issued by the Collector in Form XXXVI prohibiting the defaulter from transferring or charging the property in any way and prohibiting all other persons from taking any benefit from such transfer or charge.

(2) The order shall be proclaimed by the Mamlatdar at some place on or adjacent to such property by beat of drum or other customary mode, and a copy of the order shall be affixed on a conspicuous part of the property and also on the notice board of the office of the Talathi.

(3) The order shall take effect as against purchasers for value in good faith from the date when a copy thereof is affixed on the property and against all other transferees from the defaulter from the date on which such order is made.

129. *Sales of forfeited, distrained or attached property.*—(1) Sales of forfeited, distrained or attached property shall ordinarily be held in the town or village in which the property is situated.

(2) Proclamations and written notices of such sales shall be issued :—

- (a) in Form XXXVII in the case of forfeited property;
- (b) in Form XXXVIII in the case of distrained property;
- (c) in Form XXXIX in the case of attached property.

130. *Upset price may be fixed.*—Where any land or other property is sold by public auction, an upset price shall, if the Collector thinks fit, be placed thereon.

131. *Forme of certificates of sales.*—After the sale of the immovable property is confirmed, a certificate of sale shall be issued to the purchaser—

- (a) in Form XI where the property sold is a forfeited property;

- (b) in Form XLI where the property sold is an attached property.

132. *Delivery of movable property after its sale becomes absolute.*—Where the sale of a movable property becomes absolute under section 184 or 185 the officer conducting the sale shall—

- (a) deliver the property to the purchaser if the property was actually seized, and
- (b) make an order vesting such property in the purchaser in any other case.

133. *Mode of putting purchaser in possession under section 197.*—Where the land sold is in the possession of the defaulter or of some person on his behalf or of some person claiming under a title created by the defaulter after the attachment of the land or after a certificate in respect thereof is granted under rule 131, the officer conducting the sale shall, on the application of the purchaser, order delivery to be made by putting such purchaser, or any person whom the purchaser may appoint to receive delivery on his behalf, in possession of the land and, if need be forcibly remove any person who refuses to vacate the same.

134. Where such land is in the possession of a tenant or other person entitled to occupy the same, the officer conducting the sale shall, on the application of the purchaser, order delivery to be made by affixing a copy of the certificate granted under rule 131, in some conspicuous place on the land and by proclaiming to the person in possession, by beat of drum or other customary mode, that the interest of the defaulter has been transferred to the purchaser.

135. *Procedure for recovering sums recoverable as an arrear of land revenue.*—(1) Where any sum due to any department of Government or a local authority or a co-operative society is recoverable as an arrear of land revenue from any defaulter, such department, local authority or, as the case may be, co-operative society may send a requisition in writing for recovering the sum to the Mamlatdar.

(2) Such requisition shall contain the following particulars, namely :—

- (a) full name and address of the defaulter;
- (b) the sum to be recovered;
- (c) the provision of law under which the sum is recoverable as an arrear of land revenue;
- (d) the process by which the sum may be recovered;
- (e) the property against which the process may be executed.

(3) On receipt of such requisition, the Mamlatdar shall dispose of it in accordance with the provisions of the Regulation and these rules.

CHAPTER XIV

INQUIRY INTO TITLE OF LAND

136. *Notice of inquiry and order under section 19.*—(1) Before commencing an inquiry under sub-section (2) of section 19 a written notice in Form XLII appended to these rules of the proposed inquiry and of the time and place and subject matter thereof shall be affixed no less than ten days before the inquiry at the chavdi or some other public place in the village in which the property to which the inquiry relates is situate, and in a conspicuous position upon such property.

(2) A copy of the notice shall also be served not less than ten days before the inquiry on all persons who are known or believed to have made any claim to, or to be interested in the subject matter of the inquiry, and every such notice shall be served in the manner provided in section 213 for the service of a summons.

(3) A notice in Form XLIII appended to these rules of any order passed under sub-section (2) of section 19, specifying briefly the subject matter, contents and date of the order passed, shall be served in the manner specified in sub-rule (2) upon the persons referred to in that sub-rule.

(4) Such notice shall also be affixed in the place specified in sub-rule (1).

CHAPTER XV

PROCEDURE OF REVENUE OFFICERS

137. *Mode of serving summons.*—(1) Where the person serving a summons serves it by tendering or delivering a copy of it to the person summoned, he shall require the signature or the attested thumb impression of the person to whom the copy is tendered or delivered to be endorsed in acknowledgement of service on the original summons.

(2) Where a summons is served by affixing a copy of it to some conspicuous part of the usual residence of the person summoned, the person serving the summons shall return the original copy of the summons to the revenue or survey officer by whom it was issued with a report endorsed thereon or annexed thereto stating that he has affixed the copy, the circumstances under which he did so and the name and address of the person in whose presence the copy was affixed. The report shall be by the person in whose presence the service was effected.

138. *Mode of serving notice on authorised agent.*—(1) Where the authorised agent on whom a notice under the Regulation is to be served is a legal practitioner, the notice may be served by leaving a copy thereof at his office or at the usual place of his residence and such service shall be deemed to be as effectual as service on the authorised agent personally.

(2) Where the person on whom a notice is to be served cannot be found and such person has no authorised agent, summons may be served on any adult member of the family of such person who is residing with him.

Explanation.—For the purpose of this sub-rule, a servant shall not be deemed to be a member of the family of the person on whom the notice is to be served.

(3) Where a notice is served either by tendering or delivering a copy thereof personally to the person on whom it is to be served or his authorised agent, he shall require signature or thumb impression of the person to whom the tendered or delivered to be endorsed in acknowledgement of on the original notice.

(4) Where a notice is served by affixing a copy thereof at the last known place of residence of the person on whom the notice is to be served, the person serving the notice shall send the original copy of the notice to the officer who issued it, with a report endorsed thereon or annexed thereto stating that he has so affixed the copy, the circumstances under which he did so, the name and address of the person in whose presence the copy was affixed, and where the copy is affixed at the last known place of residence of the person on whom the notice is to be served, the report shall also contain the name and address of the person in whose presence the service was made or person by whom the house was identified.

CHAPTER XVI

INSPECTION, SEARCH AND SUPPLY OF COPIES OF LAND RECORDS

139. *Inspection of records.*—All documents, plans, maps, registers, accounts and records including land records (hereinafter referred to as "records") the right of inspection of which is provided for in sections 224 and 242 of the Regulation shall with the permission of the officer-in-charge of the same, be open to inspection in his office during the usual office hours every day except Sunday and Public holidays on payment of fees hereinafter prescribed.

140. *Application for inspection.*—(1) Any person desiring to inspect any records shall, himself or through his recognised agent, make an application for such inspection to the officer-in-charge of such records stating therein the particulars about the records and the purpose for which the inspection is sought.

(2) On receipt of an application under sub-rule (1) the officer-in-charge of the records shall grant the permission unless the application is rejected under sub-rule (3).

(3) If the officer-in-charge of the records (not being a Talathi) considers that the records of which inspection is sought are of a confidential nature or that the inspection would be prejudicial to public interest, he may record an

order rejecting the application for inspection. And where a Talathi is in charge of such records he shall refer the application for the orders of the Mamlatdar.

141. *Fee for inspection.*—There shall be no fee for inspection of records in charge of an officer below the rank of a Mamlatdar and for inspection of records in charge of other officers a fee of fifty paise shall be paid alongwith the application under rule;

Provided that no fees for inspection shall be charged to Government officers or other persons duly authorised in this behalf for Government purposes or to officers of any local authority for the purpose of such authority or to officers of cooperative societies for the business of the society.

142. *Inspection to be made under direction of officers.*—The inspection shall be made at such time, in such place and in the presence of such official as the officer-in-charge of the records, may direct.

143. *Inspection how to be made.*—(1) No person who is permitted to inspect the records under these rules shall during such inspection use pen and ink or make any mark or alterations on the records inspected or remove any papers therefrom. He shall return the record so inspected in their original condition when the inspection is over. He may, during the inspection himself or through his recognised agent make in pencil a copy of the records or any portion thereof, inspection of which is permitted but a copy so made shall not be certified by any officer.

(2) Any person infringing this rule shall be deprived of the right of inspection for such period as the officer-in-charge of the records may direct.

144. *Fees for search when to be charged.*—When an application is made for inspection or copy of any records and such application does not distinctly describe the number, date and nature of the record required, or if the description given in such is incorrect and it shall, in consequence, be necessary for the officer-in-charge if the record to search his records in order to find the required records, a fee at the rate of two rupees for every year of which records are searched shall be payable in cash by the applicant, in advance for such search whether the inspection or copy for which he applies, on examination of the said record by the said officer, be granted or not.

145. *Supply of certified copies.*—Certified extracts from or copies of records may be obtained with the permission of the officers-in-charge of the records, on payment of fees and additional fees for sealed off perimeter, measurements, hereinafter described :

Provided that, no copy shall be granted of any record which has been printed or lithographed and published under the authority of the Administration and is on sale.

Explanation.—For the purpose of this rule, printed or lithographed matter not covered by the proviso shall be treated as matter copied.

146. *Application for copies.*—(1) Any person desiring to have a copy of any record shall, himself or through his recognised agent, make an application to the officer-in-charge of the record stating therein the particulars of the records and the purpose for which copy thereof is required.

(2) On receipt of an application under sub-rule (1) the officer-in-charge of the record may grant the request unless is rejected under sub-rule (3).

(3) If the officer-in-charge of the record (not being a Talathi) considers that the record, of which a copy is applied for, is of a confidential nature or that the supply of the copy would be prejudicial to the public interest, he may record an order rejecting the application. Where a Talathi is in charge of such record he shall refer the application for the orders of the Mamlatdar.

147. *Supply of true copies of certified copies.*—Subject to the provisions of rule 145 and 146 every Officer-in-charge of a certified copy of any records shall on an application made to him by any person prepare and give to him a true copy of such certified copy of the record under his own signature on payment of the fees hereinafter prescribed. On every

such copy it shall be clearly stated by such officer that it is a true copy of the certified copy of the record.

Received Rs. paise as fee for this certified copy.
Dated ;

Signature

148. *Receipt to be endorsed on copy.*—On every certified copy or extract granted under these rules, there shall be endorsed by the officer who received the fees for the same, a receipt in the following form :—

149. *Fees for copies.*—The fees for certified copies of any record shall be prepaid in cash in accordance with the rates as provided in the Table below :—

TABLE

Sr. No.	Category of records.	Fees
1	2	3
1.	Every certified copy of a serial no. or entry in the record of rights, register of mutations and from the registers, accounts and records other than maps maintained by a Talathi under the Regulation.	Rs. 0.50 ps.
2.	Every certified copy of an entry in the register of property maintained by Survey Officer.	Rs. 0.50 ps.
3.	(i) Every certified copy of the tabular annewari statement of a village with the annewari decision worked out therein.	Rs. 1.00 ps.
	(ii) Every certified copy of the decision of the Collector or Mamlatdar not embodied in the statement of annewari, or of the opinion of the village committee as to the anna valuation.	Rs. 0.50 Ps.
4.	For showing the scaled off perimeter measurements on any certified copy of the map of a survey number or sub-division of a survey number prepared under items 5, 6 and 7—	
	(i) if applied for at the time of measurement of the survey no. or sub-division of a survey no.	Rs. 0.50 ps.
	(ii) if applied for at any time thereafter.	Rs. 1.00 ps.
5.	Every certified copy of a map or plan or of any portion of map or plan not falling under items 5, 6 and 7.	Such fee not exceeding Rs. 3 and not less than Rs. 2 as the officer who certified the copy shall determine. Provided that no fee exceeding Rs. 10 shall be charged by an officer subordinate to the Collector except with the permission of the Collector.
6.	For every certified copy of records not falling under items 1 to 9—	
	(i) for every sheet of paper 30×21 C.Ms. in dimensions, handwritten or typed with doubles pacing.	Rs. 2 for every sheet of paper or part thereof.
	(ii) if such records be in tabular form.	Twice the rate specified in clause (1) of this item.
7.	For every true copy of a certified copy.	The same fees as for a certified copy.
8.	For every authenticated translation of orders and the reasons therefor, and of exhibits in formal or summary enquiries under the Regulation—	
	(i) for the first 100 words or fraction of 100 words	Rs. 2.00 ps.
	(ii) for every subsequent 100 words or fraction of 100 words.	Rs. 1.00 ps.

150. *Cost of paper and printed form.*—In addition to the copying fees chargeable under rule 149, the applicant shall pay charges for paper, printed form, drawing paper, tracing paper or both used for purposes of copying at the rate from time to time fixed by the Administrator in that behalf.

to the conditions hereinafter specified, been allowed by the Collector of Dadra and Nagar Haveli on behalf of the Administrator of Dadra and Nagar Haveli, to occupy for the purposes of a Playground and/or.....for a period
Gymnasium

By order of the Administrator,

(JAGDISH SAGAR),
Collector,
Dadra and Nagar Haveli,
SILVASSA.

SILVASSA,

Dated 29th September, 1972.

FORM I

[See rule 12(2)]

FORM OF LEASE OF LAND GRANTED TO EDUCATIONAL INSTITUTIONS OR LOCAL AUTHORITIES AND FOR GYMNASIUMS TO BE USED AS A PLAYGROUND/ GYMNASIUM OR FOR OTHER RECREATIONAL PURPOSES.

THE ADMINISTRATION OF DADRA AND NAGAR HAVELI.

This is to certify that Shri of (hereinafter called "the lessee") has, subject to the provisions of the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971 and the rules made thereunder and subject 3—338GI/72

of..... years commencing on the day of 19 (hereinafter called "the said term") a plot of land situated in village.....of Dadra and Nagar Haveli bounded on the North by..... on the South by on the West by..... and on the East by bearing Survey No. and measuring about....sq. metres/hectares and of the shape and dimensions as shown in the map hereto annexed.

The conditions of this lease are as follows :—

1. The lessees shall pay to the Government for the said plot of land on the 1st day of August every year in advance the annual rent of rupee one together with such cess as may be levied thereon from time to time.
2. The lessees shall not erect any structure upon the said plot of land, save with the previous permission in writing of the Collector.
3. The lessee shall not use the said plot of land except for the purpose of a playground/gymnasium and/or
4. The said plot of land and all structures thereon shall be subject to such taxation for local purposes which is or may hereafter be imposed and shall also be subject to any assessment, tax, cess or any other dues which may be levied

in respect of the said plot of land or any of the structures thereon.

5. In the event of the lessee's\$ ceasing to be recognised by the Education Department the lease shall be deemed to have terminated.

*Here specify the other recreational purpose.

£To be inserted in case of an Educational Institution or Gymnasium.

\$ Name of the Educational Institution or Gymnasium, as the case may be to be inserted.

6. The lessee shall permit the Government Officer, authorised in this behalf by the Collector at all reasonable times to enter upon and inspect any part of the said plot of land.

7. The lessee shall not sublet or in any other way encumber the said plot of land or any portion thereof.

8. If, in the opinion of the Collector, the land is required for the purposes of Administration or any local authority, the Collector may at any time terminate this lease by giving to the lessee one calendar month's notice in writing in that behalf.

9. In the event of the lease being terminated under any of these conditions, the lessee shall not be entitled to claim any compensation on account of the termination of the lease. The lessee shall, if the lease is terminated under condition 8 above before the expiry of the period of the notice given under that clause, and in other cases, within such period as the Collector may fix, remove any structure or structures standing on the said plot of land at his own expense, and on the expiry of the said period, shall deliver possession of the said plot of land to the Collector in the same condition in which it was at the commencement of the tenancy.

10. The lessee shall at the expiration of the said term deliver quiet and peaceful possession of the said plot of land to the Collector in the same condition in which he took it, unless the lease is renewed for a further term upon such conditions as the Collector thinks fit.

11. Failure to comply with any of the above conditions of the lease or with any provisions of the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971, or of the rules thereunder, shall render this lease liable to cancellation by the Collector, who may thereupon resume the said plot of land, and summarily evict the lessee without notice or payment of any compensation whatever, or may, in lieu of such resumption order the removal, within a period fixed by him of any structure erected thereon contrary to condition 2 of this lease and, on such removal not being carried out within the said period may cause the same to be carried out at the expense of the lessee; and it shall be in the sole direction of the Collector, subject to the orders of the Administrator, to adopt either one or other of the above remedies as may seem desirable to him under the circumstances. It shall also be lawful for the Collector in the case of breach of condition 3 to levy full rent and fine which may extend to forty times the non-agricultural assessment in respect of the land.

12. In this lease, the words "the lessee" includes the lessee, his heirs, successors, legal representatives and permitted assigns and the word "Collector", includes the Collector of Dadra and Nagar Haveli for the time being and any other officer whom Administrator may appoint to exercise the powers of the Collector under this lease.

This lease is executed on behalf of the Administrator of Dadra and Nagar Haveli by and under the hand and seal of the Collector of Dadra and Nagar Haveli, this..... day of one thousand nine hundred and.....

Seal

(Signed).....

Collector.

In the presence of—

(1)

(2)

FORM II

[See rule 21(8)]

FORM OF AGREEMENT TO BE EXECUTED BY PERSONS TO WHOM LAND IS GRANTED IN OCCUPANCY RIGHT UNDER RULE 21 OF THE DADRA AND NAGAR HAVELI LAND REVENUE ADMINISTRATION RULES, 1972.

To

The Mamlatdar, Dadra and Nagar Haveli.

I, A. B., *inhabitant of in Dadra and Nagar Haveli hereby accept the right of occupation of the land comprised in survey No. in the village of in Dadra and Nagar Haveli and pray that my name be entered in village records as the occupant of the said land.

The said land has been granted to me in perpetuity from the day of 19 .., subject to the conditions hereinbelow mentioned, and to the provisions of the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971 and the rules thereunder;

And I undertake to pay the land revenue from time to time lawfully due in respect of the said land (or I undertake, in the event of the Administrator discontinuing the exemption of the said land from payment of land revenue, to pay such land revenue in respect of the said land as may be lawfully imposed thereon).

The said land has been granted to me, subject also to the further conditions to which I hereby agree, namely:—

(1) I, my heirs, assigns and legal representatives shall—

(a) not mortgage, sell, assign or otherwise transfer the land or any portion thereof except with the previous sanction of the Collector;

(b) bring the land under my personal cultivation before the expiry of two years from the date of the grant;

(c) Pay Rs. as occupancy price in instalments, each instalment being payable on or before

(2) If I commit a breach of any of the aforesaid conditions, the Collector may resume and take possession of the land granted to me, and I shall be liable to be evicted from the said land.

(3) In the event of my eviction from the land under condition (2), the amount of occupancy price, if any, paid by or recovered from me shall be refunded to me.

Dated the day of 19 .. at written by

(Signed) A.B.

We declare that A. B. who has signed the agreement is to our personal knowledge the person he represents himself to be, and that he has affixed his signature hereto, in our presence.

(Signed)

(Signed)

I declare that, to the best of my knowledge and from the information which I have been able after careful enquiry to obtain, the person who has executed this agreement is a fit person to be accepted by the Administrator as responsible for the punctual payment of the land revenue from time to time, due on the above land.

(Signed)

Talathi.

FORM III

[See rule 35(1)]

FORM OF AGREEMENT TO BE TAKEN FROM PERSONS
INTENDING TO BECOME OCCUPANTS OF LAND FOR
NON-AGRICULTURAL USE

AGREEMENT

I, A. B. of.....agree on behalf of myself and my heirs, executors, administrators and assigns to occupy the land specified in the schedule appended hereto (hereinafter referred to as "the said land") on the conditions stated below, and pray that my name may be entered in the land records as occupant of the said land:—

CONDITIONS

(1) I will pay the land revenue from time to time lawfully due in respect of the said land, namely, as assessment the sum of Rs..... (being at the rate of..... per..... or at such lower rate as is leviable under the rules for the time being in force and applicable to such land) for the period of..... years commencing on..... and thereafter I will pay such assessment for such further periods as may from time to time be fixed by lawful authority.

(2) *Use*.—I will not without the previous sanction of the Collector use or permit the use of the said land and the building erected or to be erected thereon for any purposes other than.....

(3) *Building*.—I will erect and complete on the said land..... of a substantial and permanent description within a period of..... years from the date hereof or within such period as may be fixed by lawful authority. I will in regard thereto duly comply in every respect with the building regulations contained in clauses..... of the Second Schedule hereto;

* (4) *Reservation of Margin*.—If at any future date the Collector shall give me notice in writing that a strip from the margin of the said land not more than..... metres in depth is required by Administration for the purposes of a road, I will at the expiration of one month after the receipt of such notice, quietly surrender and hand over possession of such strip to the Collector in consideration of receiving from Administration in exchange and as full compensation therefor a sum equivalent to..... times the assessment proportionately payable upon the strip so surrendered;

Provided that, where the materials of any gate, wall, pavement or other such authorised erection or construction on such strip cannot in the opinion of the Collector be removed without appreciable loss, such further compensation on this account shall be paid to me as the Collector may deem fit.

* Here insert specific purpose for which land is granted.

\$ Here insert description of the buildings such as "a residents' bungalow and outhouses".

(5) *Liability for rates*.—I will pay all taxes, rates and cesses leviable in respect of the said land.

(6) *Tenure*.—\$(a) I, my heirs, executors, administrators and approved assigns shall not at any time transfer the said land or any portion thereof or any interest therein without the previous written sanction of the Administration.

* (b) I, my heirs, assigns and legal representative shall not at any time by partition, inheritance, lease, mortgage or otherwise howsoever transfer the said land except as a whole or allow any portion of it to be cultivated, used, or occupied by any other person so as to divide it.

(7) *Transfer*.—(a) I will not dispose of the land except along with the constructions thereon and the factory plant and other installations, if any, and the land so disposed of shall not be used for a purpose other than the purpose for which it was initially granted, without the permission of the Administrator.

(b) I will not sub-divide the land or dispose of any such sub-division without the permission of the Administrator.

(c) In case I dispose of the land along with the factory plant and other installations thereon by way of sale, the Administrator shall be entitled to half the unearned increment and where such land is transferred without any construction aforesaid, the Administrator shall be entitled to unearned increment upto 90 per cent.

(8) *Provisions of Regulation applicable*.—The provisions of the Dadra and Nagar Haveli Land Revenue Administration Regulation and the rules and orders for the time being in force thereunder shall apply, to my occupation of the said land, so far as the same may be applicable.

(9) *Penalty clause*.—(a) If I contravene any of the foregoing conditions, or any rules made under the Regulation and applicable in relation to my land aforesaid, the Collector may without prejudice to any other penalty to which I may be liable under the provisions of the Regulation, continue the said land in my occupation on payment of such fine and/or assessment as he may direct, unless the land is resumed under the Dadra and Nagar Haveli Land Revenue Administration Rules, 1972.

(b) Notwithstanding anything contained in sub-clause (a) it shall be lawful for the Collector to direct the removal of alteration of any building or structure erected or used contrary to the provisions of this grant within the period prescribed in that behalf by the Collector, and on such removal or alteration not being carried out within the prescribed period, he may cause the same to be carried out and may recover the cost of carrying out the same from me as an arrears of land revenue.

* To be scored out where not required.

\$ To be retained in all cases in which grants of unoccupied unalienated land are made at concessional rates of occupancy price and assessment or rent or without auction. To be scored out in other cases and the next condition to be re-numbered.

SCHEDULE II

Length and breadth		Total superficial area	Boundaries				Remarks
North to South	East to West		North	South	East	West	

SCHEDULE II

(The number of the conditions which are applicable should be entered in condition 3 of the grant; and special conditions should be inserted in continuation).

1. Building may be erected only within the area marked on the map annexed and the remaining area of the said land shall be left as an open space.

2. "Two-Third" of the said land shall ordinarily be left open to the sky and only "one-half" when the land is in the

Collector's opinion of a very high value or the buildings are likely to be inhabited by the poorer classes.

3. No latrine, cesspool or stable shall be constructed on the said land in any place which shall not have been approved for such purpose by the Collector or an officer authorised by him.

4. No buildings shall be erected in the said land with more than a ground floor and one upper storey, and unless it is provided with suitable access.

In witness whereof the Collector, Dadra and Nagar Haveli has set his hand and affixed his official seal hereto on his behalf, and the Lessee has set his hand and seal (if any hereunto on his behalf the date and year first above written.

THE SCHEDULE

(Particulars of the land)

Signed, Sealed and delivered

by.....

Collector.....

in the presence of

(1)

(2)

Signed, Sealed and delivered
by the abovenamed Lessee in
the presence of.....

(1)

(2)

FORM VI

(See rule 39)

It is hereby certified that A. village, B. of Dadra and Nagar Haveli,
inhabitant of
has been granted with effect from
occupancy rights in perpetuity.

leasehold rights for a period of years.
in the land described in the schedule below and situated within the limits of on payment of
occupancy price

premium
of Rs. and annual
land revenue

rent
of Rs. with effect from for the purpose of

The grant is subject to the provisions of the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971, and the Rules
made thereunder and to the conditions agreed to by the said occupant lessee in the agreement executed by him in this behalf.

SCHEDULE

Village	Survey No. and Sub-Division No. or Khasra No. C.T.S. No. or plot No.	Area	Assessment or Rent
1	2	3	4

Dated :

Mamlatdar.

Note :—The certificate shall be prepared in duplicate. One copy shall be given to the occupant/lessee and the other filed with the record of the case.

FORM VII

(See rule 46)

Form of application under sub-section (1) of section 42
of the Dadra and Nagar Haveli Land Revenue
Administration Regulation, 1971.

To,

The Collector of Dadra and Nagar Haveli.

Sir,

I, residing at in
Dadra and Nagar Haveli hereby apply for permission to use
the land described below which is.....

(a) assessed or held for the purpose of agriculture/ for
the non-agricultural purpose/purposes of

(b) assessed or held for the non-agricultural purpose of
.....

(c) assessed or held for the non-agricultural purpose of
..... but in relaxation of condition
..... imposed at the time of grant of
land or permission for such non-agricultural use
viz.,

2. I annex to this application :—

(a) a certified copy of record of rights in respect of
the land as existed at the time of application.

(b) a sketch or lay-out of the site in question (in tri-
plicate) showing the location of the proposed build-
ing or other works for which permission is sought
and the nearest roads or means of access.

(c) written consent of the tenant/occupant.

3. I also furnish the following information :—

(1) Full name of the applicant :

(2) Full postal address :

(3) Occupation :

(4) Village, where the land is situated :

(5) Survey No., Hissa No., area and assessment/rent
of the land :

(6) Area of the site out of (5) above to be used for
Residential..... / Industrial..... /
Commercial..... / any other non agricultural
purpose.....

- (7) Present use of the land and whether any building exists thereon and if so, its use :
- (8) Whether electrical high transmission lines pass over the land and if so, the distance thereof from the proposed building or other works.
- (9) Is the land under acquisition ? If so, state details.
- (10) Is there a road from where the land is easily accessible ? State the name of the road, and whether it is Highway, Major district road or village road. What is the distance of the proposed building or other work from the centre of the road ?
- (11) If there is no road adjoining the land, how is it proposed to be provided for access to the site ?
- (12) Was a similar application made in the past for non-agricultural use of this land and was it rejected ? If yes, give details.

I solemnly affirm that the information given above is true to the best of my knowledge and belief.
Date :

Signature of applicant.

(To be filled in by Revenue Officer)

Date of receipt of the Application :
Stamp of the officer.

Signature and designation
of the receiver

FORM VIII

[See Rule 50]

FORM OF SANAD

Whereas an application has been made to the Collector of Dadra and Nagar Haveli (hereinafter referred to as 'the Collector', which expression shall include any officer whom the Collector shall appoint to exercise and perform his powers and duties) under section 42 of the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971 (hereinafter referred to as 'the said Regulation', which expression shall where the context so admits include the rules and orders thereunder) by _____ inhabitant of _____ being the occupant/tenant of Survey No. _____ in the village of _____ in Dadra and Nagar Haveli (hereinafter referred to as 'the applicant', which expression shall, where the context so admits, include his heirs, executors, administrators and assigns) for permission to use for _____ the plot of land (hereinafter referred to as the 'said _____ on the 'said plot') described in Appendix I hereto and indicated by the letters _____ on the site plan annexed hereto, forming part of survey number _____ and measuring _____ be the same a little more less;

Now, this is to certify that the permission to use the said plot for the said purpose is hereby granted, subject to the provisions of the said Regulation and rules thereunder, and on the following conditions, namely :—

1. *Levelling and clearing of the land.*—The applicant shall be bound to level and clear the land sufficiently to render it suitable for the particular non-agriculture purpose for which permission is granted and to prevent insanitary conditions.

2. *Assessment.*—The applicant in lieu of the assessment heretofore leviable in respect of the said plot shall pay to Government on _____ day of _____ in each year an annual assessment of Rupees. _____ (Rs. _____) during the _____ years commencing on the _____ day _____ 19.... and on the expiry of the said period, such revised assessment as may from time to time be fixed by the Collector under the said Regulation ;

Provided that, where the applicant is a co-operative housing society it shall entitled to such exemption from the payment of altered assessment as is permissible under the rules.

3. *Use.*—The applicant shall not use the said land building erected or to be erected thereon for any purpose other than (here insert the specific purpose for which the permission is granted), without the previous sanction of the Collector.

4. *Building time limit.*—The applicant shall within one year from the date hereof, commence on the said plot the construction of _____ of a substantial and permanent description, failing which unless the said period is extended by the Collector from time to time, the permission granted shall be deemed to have lapsed; and where there are no building regulation prescribed by or under any other law shall in the case of residential use in regard thereto duly comply in every respect with the building regulation contained in clauses _____ of Appendix II hereto.

5. *Liability for taxes etc.*—The applicant shall pay all taxes, rates and cesses leviable on the said land.

6. *Penalty clause.*—(a) If the applicant contravenes any of the foregoing conditions the Collector may, without prejudice to any other penalty to which the applicant may be liable under the provisions of the said Regulation, continue the said plot in the occupation of the applicant on payment of such fine and assessment as he may direct.

(b) Notwithstanding anything contained in sub-clause (a), it shall be lawful for the collector to direct the removal or alteration of any building or structure erected or used contrary to the provisions of this grant within such time as is specified in that behalf by the Collector and, on such removal or alteration not having carried out within the specified time, he may cause the same to be carried out within the specified period and recover the cost of carrying out the same from the applicant as an arrear of land revenue.

7. *Regulation provisions applicable.*—Save as herein provided, the grant shall be subject to the provisions of the said Regulation and the rules thereunder.

APPENDIX I.

Length and Breadth		Total super ficial area.	Forming (or part of) Survey No. or Hissa No.	Boundaries		Remarks.
North to South.	East to West.			North	South	

APPENDIX II

(The conditions which are applicable should be entered in condition 4 of the grant and special conditions should be inserted in continuation).

1. The applicant shall observe the standards for building and control lines and shall build on the area marked— on the map annexed, and shall leave the remaining area of the said plot as open space.

2. of the said plot shall be left open to the sky.

3. Any latrine, cesspool or stable constructed on the said plot shall, if any such place shall have been set apart in the map annexed for such purpose, be constructed in such place and not elsewhere.

4. No building shall be erected in the said plot more than metres in height.

5. The building erected on the said plot shall be used for..... purposes only.

6. No building erected on the said plot shall be used as a shop or factory or as a place for carrying on any offensive trade.

7. The grant shall be subject to the following further conditions, that is to say,

(a) (Here enter the other conditions and the special conditions, if any).

(b) etc. etc.,

IN WITNESS WHEREOF THE Collector of Dadra and Nagar Haveli has hereunto set his hand and the seal of his office on behalf of the Administrator of Dadra and Nagar Haveli and the applicant has also hereunto set his hand this — day of — of 19—.

(Signature of Collector)

(Signature and designation of witnesses)

(Signature of applicant)

(Signature and designation of witnesses)

Seal of the Collector.

We declare that..... who has signed this sanad, is to our personal knowledge the person he represents himself to be, and that he has affixed his signature hereto to our presence.

(Signed).....

(Signed).....

FORM IX

[See Rule 54]

FORM OF SANAD

Whereas the applicant being the occupant/tenant of Survey No. of the village..... of Dadra and Nagar Haveli has used the said land for..... purposes without the permission of the Collector, Dadra and Nagar Haveli (hereinafter referred to as "the Collector"), being first obtained as required by section 42 of the Dadra and Nagar Haveli Land Revenue Administration Regulation 1971 (hereinafter referred to as "the Regulation"), the plot of land indicated by the letters..... on the site plan hereto annexed, forming part of the said Survey No. and measuring..... be the same, a little more or less, and has hereby become liable to the penalties prescribed under section 43 of the said Regulation;

And whereas, the applicant has applied for permission to remain in possession of and to continue to use the aforesaid plot of land for..... purposes;

And whereas, the Collector is authorised under clause (b) of section 45 of the said Regulation to grant the permission applied for, subject to the provisions of the said Regulation and rules and orders thereunder and to the terms and conditions hereinafter contained.

Now, therefore, this is to certify that permission to use, for..... purposes, the plot is hereby granted, subject to the provisions of the said Regulation, and the rules made thereunder and on the following conditions, namely:—

(1) *Fine*.—The applicant shall pay such fine as may be fixed by the Collector under the said Rules.

(2) *Assessment*.—The applicant, in lieu of the assessment heretofore leviable in respect of the said plot, shall pay to the Administration on the..... day of..... each year a penal assessment of Rupees..... (Rupees.....) during the..... years commencing on the..... day of..... 19—, such revenue assessment as may from time to time be fixed by the Collector under the said Regulation.

(3) *Use*.—The applicant shall not use the said land, and building erected or to be erected thereon for any purpose other than (here insert the specific purpose for which the permission is granted) without the previous sanction of the Collector.

(4) *Building to comply with regulations specified in Appendix*.—The applicant shall duly comply in every respect with the building regulations contained in clauses..... of the Appendix hereto.

(5) *Liability for rates*.—The applicant shall pay all taxes, rates and cases leviable on the said land

*(6) *Undertaking*.—The applicant shall agree in a legally binding manner to demolish the offending unauthorised construction without claiming compensation whenever after the expiry of a reasonable period he is asked to do so by the Collector, failing which the Collector shall do so at the applicant's risk and costs.

(7) *Penalty Clause*.—(a) If the applicant contravenes any of the foregoing conditions, the Collector may, without prejudice to any other penalty to which the applicant may be liable under the provisions of the said Regulation and rules thereunder continue the said plot in the occupation of the applicant on payment of such fine and assessment as he may direct.

(b) Notwithstanding anything contained in sub-clause (a), it shall be lawful for the Collector to direct the removal or alteration of any building or structure erected or used contrary to the provisions of this grant within such period as is specified in that behalf by the Collector, and on such removal or alterations not being carried out within the specified period, he may cause the same to be carried out and recover the cost of carrying out the same from the applicant, as an arrear of land revenue.

(8) *Regulation provisions applicable*.—Save as herein provided, the grant shall be subject to the provisions of the said Regulation and the rules thereunder.

APPENDIX

(The numbers of the conditions which are applicable should be entered in condition 4 of the grant; and special conditions should be inserted in continuation).

1. The applicant may build on the area marked..... on the map annexed and shall leave the remaining area of the said plot as an open space.

2. of the said plot shall be left open to the sky.

3. Any latrine, cesspool or stables constructed on the said plot shall, if any place shall have been set apart in the map annexed for such purpose, be constructed in such place and not elsewhere.

4. No building shall be erected on the plot more than metres in height.

5. The building erected on the said plot shall be used for..... purposes only.

6. No building erected on the said plot shall be used as a shop* or a factory* or as a place for carrying on an offensive trade.

7. The grant shall be subject to the following special conditions :—

(a)

(b)

In witness whereof the Collector of Dadra and Nagar Haveli has hereunto set his hand and the seal of his office on behalf of the Administrator of Dadra and Nagar Haveli and the applicant has also hereunto set his hand this day the..... of.....197

(Signature of applicant)

(Signatures and designation of witnesses)

(Signature of Collector).

Seal of the Collector

(Signatures and designation of witnesses)

We declare that....., who has signed this sanad, is to our personal knowledge the person he represents himself to be, and that he has affixed his signature hereto in our presence.

Signed.....

Signed.....

FORM X

(See rule 59)

Application to the Mamlatdar for construction of water course under sub-section (1) of section 47 of the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971. To

The Mamlatdar of.....

Name of the applicant

Age.....Profession.....Place of residence.....

Name of the neighbouring holder.....Age.....

Profession.....Place of residence.....

I am the holder of the following land :—

Name of village	Survey No.	Plot No.	Hissa No.	Area H.A.	Assessment Rs. P.	Name of landlord
-----------------	------------	----------	-----------	-----------	----------------------	---------------------

I am entitled to take water for irrigating my land mentioned above from the following source of water :—

(Here give the particulars of the source of water)

For taking this water it is necessary to construct a water course through the following land which is in the possession of.....or belonging to.....who is a neighbouring holder.

Name of village	Survey No.	Plot No.	Hissa No.	Area H.A.	Assessment Rs. P.	Name of landlord
-----------------	------------	----------	-----------	-----------	----------------------	---------------------

The construction of the water course is necessary for the full and efficient use of my land for agriculture.

The extracts of the Records of Rights concerning the lands are enclosed.

I, therefore, request that the neighbouring holder may be

directed to permit me to construct the water course through the said land.

Yours faithfully.

(Signature of the applicant)

FORM XI

(See rule 70)

REGISTER OF AGRICULTURAL OCCUPANCIES

Village.....					Year , 19	
Standard rates per acre—						
			Dry	Garden;	Rice	Warkas and others
						Year of introduction; Expiry of settlement; Survey Group II; Date of Instalment:
Survey No.	Tenure	Total Area	Deduct Uncultivable, Unassessed and Unavailable for cultivation.			Agricultural Assessment
1	2	3	Kind	Area	5	6
					H.A.	Rs. P.

Details of cultivable land and assessment

Dry Crop			Garden		
Kind 7	Area 8	Assessment 9	Kind 10	Area 11	Assessment 12
	H.A.	Rs. P.		H.A.	Rs. P.

RICE			Warkas, and others		
Kind 13	Area H.A. 14	Assessment Rs. P. 15	Kind 16	Area H.A. 17	Assessment Rs. P. 18

Details of Water Share included in (12), (15) and (18)

Kind 19	Amount Rs. P. 20	Public Rights of way and Assessments ²¹ 21
------------	------------------------	--

Particulars Alterations
22Orders sanctioning changes
23Remarks
24

ABSTRACT

A. Land for cultivation—
Assessed.

I. Class of land—

II. (a) Unassessed—

(b) Unassessed and assigned for Special Use (e.g. agricultural farm, rice-breeding centre, etc.).

Area H.A.	Assessment. Rs. P.
--------------	-----------------------

Total—A.

Area H.A.	Assessment Rs. P.
--------------	----------------------

B. Land not available for cultivation—

I. Uncultivable—

(a) Pot Kharab

(b) Rivers and Nalas

II. Assigned for public and special uses—

(a) Forest (wood and plots)

(b) Kuran

(c) Free-pasture, Cattle-stand

(d) Village site

(e) Tank

(f) Burial ground

(g) Railways

(h) Pot Kharab assigned for roads, water courses, etc.

(i) Roads and Paths

(j) Cantonment lands (military camp, shooting range, etc.)

(k) School

(l) Dharmashalas

Total B-I :

Total B-II :

III. Leased out or granted (on conversion of use) of S.N. for N.A. uses—

- (a) Bungalows and other human residence
- (b) Factories, Mills and Industrial buildings
- (c) Brick-fields, Timber yards, etc. (not built on)
- (d) School
- (e) Dharmashalas

Total B-III:

Total—B :

Grand Total of village :

Examined (date)

(Signed)

Jamabandi Karkun.

(Signed)

Mamlatdar.

Date.....(Signed).....

Talathi.

FORM—XII

(See rule 70)

REGISTER OF NON-AGRICULTURAL OCCUPANCIES.

Name of village.....

Sr. No.	Description of land	Area H.A.	Nature and terms of the grant.	Amount of occupancy price, if any.
1	2	3	4	5
		A.G.		Rs. P.
Annual Revenue	Period for which revenue is fixed	Authority	Name of the first lessee or grantee.	Remarks (each entry should be signed by Mamlatdar.)
6	7	8	9	10

FORM—XIII

(See rule 79 (I).)

NOTICE

To

.....son of.....residence of.....
village in Dadra and Nagar Haveli.

Whereas.....son of....., the holder of the holding specified below in village.....of Dadra and Nagar Haveli, has applied for partition of his share in the said holding;

And whereas it is proposed to partition the said holding and the date of the hearing has been fixed for.....
19.....at.....O'clock at.....;

You are hereby informed that you should appear either personally or through a legal practitioner or recognised agent on the date fixed and state your objections, if any.

In the event of your failure so to appear and state your objections, it will be assumed that you have no objection to the said partition.

PARTICULARS OF THE HOLDING

Survey No./Hissa No.	Area H.A.	Land Revenue.
Seal		
Dated	19	Collector,

FORM XIV

[See rule 79 (2).]

PROCLAMATION

WHEREAS.....
 son of Co-holder of the holding specified below in village
 of Dadra and Nagar Haveli has applied for partition of his share in the said holding;

And whereas it is proposed to partition the said holding and the date of hearing the application has been fixed for
 19 at O'clock at;

All persons who are interested in the said holding are hereby informed that they should appear either personally or through legal practitioner/or recognised agent on the date fixed and state their objections, if any.

In the event of failure so to appear and state the objections on the date and at the place mentioned above, no objection will be considered.

Particulars of the holdings.

Survey No./Hissa No.	Area H.A.	Land Revenue.
----------------------	--------------	---------------

Seal
 Dated..... 19

Collector

FORM XV

[See rule 99 (3)]

NOTICE REQUIRING HOLDERS OF LAND TO REPAIR THEIR BOUNDARY MARKS/SURVEY MARKS.

From The Talathi of village.....
 To

WHEREAS the boundary marks/Survey marks of your holding detailed below, are defective, you are hereby directed to put them into proper repair within a period of one month from the date of receipt of this notice, failing which the repairs will be carried out by Government at your cost :—

Survey No.	Details of defective or missing boundary/Survey marks.
------------	--

Date..... 19

Signature of Talathi

FORM XVI

(See rule 100)

RECORD OF RIGHTS.

Sl. No.	Nature of right.	Survey No. & Sub-Div. Nos. affected.	Remarks of Inspecting Officer.
1	2	3	4

FORM XVII

(See rule 100)

RECORD OF RIGHTS.

Survey No. & local name of field, if any.	Sub- Div. No.	Area H.A.	Assessment.	Special or Non-Agr/ assessment.	Name of Occupant	Record of Rights No. (For Col. No.6)
1	2	3	4	5	6	7

Other rights or (holder thereof) Record of Right
 No.
 (For Col. No. 8)

8

9

FORM XVIII

(See rule 101)

PUBLIC NOTICE

WHEREAS, it has been decided by the Administrator to prepare a record of rights in the village.....in Dadra and Nagar Haveli under the provisions of the Dadra and Nagar Haveli Land Revenue Administration Regulation;

And whereas, it is necessary to collect all information about the rights held by various persons in the lands in that village;

Now, therefore, I.....(here enter the name), the Talathi of the said village, hereby call upon persons who have any interest in the lands in the said villages to furnish to me, either in writing or orally, information on all or any of the following points, within one month

from the date of this notice, namely :—

(i) Survey number and sub-divisional number, if any, of the land in which he has any interest as holder, occupant, owner, tenant, landlord, mortgagor, mortgagee, Government lessee, assignee of rent or revenue or in any other manner.

(ii) The nature of interest in the land, that is to say whether the land is held as holder, occupant, owner, tenant, landlord, mortgagor, mortgagee or assignee, etc.

(iii) The tenure on which the land is held that is to say, whether the land held as occupant or as Government lessee.

(iv) The encumbrance or charge, if any, on the land and the name of the holder of such encumbrance or charge.

Date.....

Place.....

Talathi of.....

FORM XIX

[See rule 102(2).]

REGISTER OF DISPUTED CASES.

Sl. No.	Sl. No. in mutation register or rough copy of record of rights.	Survey No. & sub-division No.	Date of receipt of objection.	Particulars of dispute, with names of disputing parties.	Signature
1	2	3	4	5	6

FORM XX

[See Rule 102(3)]

PUBLIC NOTICE

WHEREAS, it has been decided by the Administrator, to prepare a record of rights in-the-village.....in Dadra and Nagar Haveli under the provisions of the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971;

And whereas a rough copy of such record of rights has been prepared by me as required by sub-rule (1) of rule 101 of the Dadra and Nagar Haveli Land Revenue Administration Rules, 1972 and is kept at..... for inspection by all persons affected by any entries in such rough copy of having interest in the lands in the said village on any day before the..... day of..... 19..... between the hours.....and.....;

Now, therefore, I..... (here enter name), the Talathi of the said village, hereby call upon all persons having interest in the lands in the said village to inspect the said rough copy of the record of rights and to submit to me in writing within thirty days from the day aforesaid, their objections, if any, to any of the entries in the said copy,

I hereby further inform the said persons that entries in the said copy of the record of rights will be read out in public and the objections to the entries received by me within the period aforesaid shall be inquired into and decided by..... on..... at (place and name)..... and call upon the said person to be present on that day and at that place and time.

Date.....

Place.....

Talathi of.....

.....The date to be mentioned shall not be earlier than thirty days from the date of expiry of the period allowed for submission of objections.

FORM XXI

[See rule 102(4)]

INDIVIDUAL NOTICE

To

.....
.....
.....

Sir,

Please take notice that Shri..... of..... has submitted to me the following objection in respect of the entries made in the rough copy of the record of rights of the village..... prepared by me as required by sub-rule (1) of rule 101 of the Dadra and Nagar Haveli Land Revenue Administration Rules, 1972 in respect of Survey No.....

(Here mention briefly the objection)

Please take further notice that the said objection will be inquired into and decided on..... at (place and time).....

You are hereby, therefore, called upon to be present on the said date and at the said place and time before the inquiry officer to say whatever you may have to say in the interest of the aforesaid objection. Please note that if you fail to remain present either personally or through an agent, the objection will be decided in your absence.

Date.....

Place.....

Yours faithfully,
Talathi of.....

FORM XXI

[See rule 102 (8)]

Public Notice

Whereas, a fair copy of the record of rights for the village in Dadra and Nagar Haveli has been prepared by me as required by sub-rule (7) of rule 101 of the Dadra and Nagar Haveli Land Revenue Administration Rules, 1972 and kept open for inspection at on between the hours and

And whereas, the fair copy will be finalised by (here mention designation of the officer) on at (place and time) after hearing objections, if any, in respect of any particulars entered in that copy.

Now, therefore, I, (here enter name), the Talathi of the said village, hereby call upon all persons affected by any entries in that fair copy or having interest in the lands in the said village to inspect the said copy. I further call upon all persons who may be aggrieved by the decisions in the disputed cases to hand over their objections to such decisions to me before for being heard and decided at the time of hearing objections. It should please be noted

that if they fail to remain present the disputed cases will be decided in their absence.

Date.....

Place.....

Talathi of.....

FORM XXIII

(See rule 105)

FORM OF ACKNOWLEDGEMENT OF THE REPORT REGARDING ACQUISITION OF RIGHTS.

Received from of village on a report orally/in writing regarding the acquisition of rights in respect of Survey No. Sub-division No. of village with the following documents in support thereof :—

Date.....

Place.....

Talathi of.....

FORM XXIV

(See rule 106)

REGISTER OF MUTATIONS.

Sl. No. of entry	Nature of right acquired.	Survey & sub-division Nos. affected.	Initials or remarks by testing officer.
1	2	3	4

FORM XXV

(See rule 110)

INTIMATION UNDER SECTION 143 OF THE DADRA AND NAGAR HAVELI LAND REVENUE ADMINISTRATION REGULATION, 1971.

To

.....

Whereas an entry has been made in the register of mutations of the village regarding the acquisition of rights in land as specified below :

Sl. No. and date of entry in the register of mutations.	Nature of rights acquired.	Survey No., or sub-division No. in which the rights have been acquired.
---	----------------------------	---

And whereas it appears to me from the record of rights/register of mutations that you are interested in the said mutations;

And whereas I have reason to believe that you are interested in the said mutations;

Now, therefore, I, (here enter name), the Talathi of the village in which the aforesaid land is situate, hereby intimate to you about the said mutation entry, and call upon you to send to me either orally or in writing, within fifteen days from the date of receipt of this intimation, your objection if any, to the said entry.

Please note that if no objection is received by me within the said period of fifteen days, it shall be presumed that you agree to the said entry.

Place.....

Date.....

Talathi of.....

FORM XXVI

(See rule 111)

FORM OF ACKNOWLEDGEMENT OF OBJECTION TO
MUTATION ENTRY.

Received from..... of
village on.....19.....objection orally/in
writing in respect of mutation entry No.....
of.....village.

Place.....

Date.....

Talathi of.....

FORM XXVII

[See rule 113(1)]

To,

The Talathi.....

Sir,

I am hereby informing you that I shall be camping at....
.....in village.....for the purpose of certifying
the mutation entries made in the register of mutations of
.....village in your charge, which may have been
made since the last visit of the Certifying Officer and for the
purpose of deciding disputes entered in the register of disputed
cases relating to such mutation entries. I, therefore, call
upon you to issue notices in Form XXVIII appended to the
Dadra and Nagar Haveli Land Revenue Administration Rules,
1972 to all persons who appear from the village records to be
interested in the mutation entries to be certified and the
disputes about them, at least fifteen days before the date of
my camp.

Date.....

Place.....

Yours faithfully,

Certifying Officer.

FORM XXVIII

[See rule 113(1)]

NOTICE

Whereas an entry has been made in the register of mutations of the village.....in Dadra and
Nagar Haveli regarding acquisition of rights in lands as specified below :—

Sl. No. of mutation entry.	Nature of rights	Survey No. and sub-division affected.	number
1	2	3	

And whereas the certifying officer will camp at.....in village.....in Dadra and
Nagar Haveli on.....for the purpose of *;

[* (a) certifying the said entry;

* (b) deciding disputes entered in the register of disputed cases in respect of the said entry and certifying the said entry.]

And whereas you appear from the village records to be interested in the said entry;

Now, therefore, I,.....(here enter name), the Talathi incharge of the
village in which the aforesaid land is situate, hereby give notice to you to remain present before the certifying officer on.....at
.....between.....and.....for placing before him your objections
to the said entry. Please also note that if you fail to remain present, it shall be presumed that you have nothing to say in the matter,
and the dispute about the entry will be decided and the entry certified in your absence.

Place.....

Date.....

Talathi of

FORM XXIX

(See rule 116)

REGISTER OF TENANCIES

Village

Sl. No.	Sl. No. of the last year's register.	Name of tenant (alphabetical order)	Name of Landlord	Survey No. and Hissa No.	Area H.A.	Assessment	Rent	Sl. No. of the entry in the mutation register.	Remarks
1	2	3	4	5	6	7	8	9	10

FORM XXX

(See rule 117)

Registering Officer's Monthly Return of registered transactions affecting land in village for the month of 197

S. No. in registration	Name of village in which the land is situated.	Nature of document.	Survey Number (or Plot No.) and sub-division No. affected by the transaction.	Area H.A.	Assessment.	Tenure	Name & residence of the executor of the document.	Name and residence of the person in whose favour the document is executed.	Whether the registered transaction is by order of court or otherwise.
1	2	3	4	5	6	7	8	9	10

Consideration	Date of execution of the document.	Remarks.
11	12	13

Place :—
Date :—

Designation of the Registering Officer

FORM XXXI

(See rule 118)

REGISTER OF FITNESS

Entry No. in Record of Rights.	Name of acquirer of Right or holder of document.	Order of Mamlatdar as to Fine to be levied.	No. and Date of Receipt.
1	2	3	4

FORM XXXII]

(See rule 118)

SUB-DIVISION (HISSA) REGISTER

Mutation Entry No.	Serial Number	Nature of change required in Map. (i. e. whether Partition or Amalgamation.	By whom done and date.
1	2	3	4

FORM XXXIII

[See rule 122(1)]

NOTICE OF DEMAND TO A DEFAULTER

To son of resident of village in Dadra and Nagar Haveli.

You are hereby required to take notice that a sum of Rs. is due from you on account of arrears of land revenue as per details given in the sub-joined statement, and that unless it is paid within days from the date of this notice together with the sum of Rs. being the fee chargeable for this notice, compulsory proceedings will be taken against you according to the law for the recovery of dues, together with an additional penalty not exceeding one fourth of the said arrears under section 165 of the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971.

Village	Survey No. Sub-division No.	Amount of arrears	Notice charges	Total amount due	Date of service
1	2	3	4	5	6

Date :—
Place :—

Mamlatdar

FORM XXXIV

(See rule 123)

Form of proclamation and written Notice of forfeiture

Whereas.....son of.....resident of village.....has made default in payment of Rs.....on account of land revenue in respect of his occupancy of land bearing Survey No./Hissa No.....area.....assessment.....of village....., and whereas, it is necessary to recover the said amount together with all lawful charges by forfeiture of the said holding;

Notice is hereby given that on the expiry of.....(here insert number of days, not being less than fifteen).....days from the date of this notice, the said occupancy shall be forfeited to the Administration/portion of the said occupancy specified below shall be forfeited to the Administration :—

(Here give description of the portion of the occupancy under declaration of forfeiture).

Place.....

Date.....

Designation

FORM XXXV

[See rule 126(1)]

Intimation under section 143 of the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971

To

(Name and office of the person charged with execution of the warrant).

Whereas.....son of.....resident of village.....in Dadra and Nagar Haveli has made default in payment of Rs.....on account of land revenue in respect of Survey No./Hissa No...../demand recoverable as arrears of land revenue of village....., you are hereby ordered to distrain the move-

able property of the said.....and unless the total amount due is paid, to hold the same until further orders from this office.

You are further ordered to return this warrant on or before the.....day of.....19, with an endorsement certifying the date and manner in which it has been executed or stating why it has not been executed.

Place.....

Date.....

Collector

FORM XXXVI

[See rule 128 (1)]

Order of Attachment of Immovable Property

Whereas.....son of.....resident of.....village in Dadra and Nagar Haveli has made default in payment of Rs.....on account of.....due by him as per details given below :—(details of demand).....

It is ordered that the said.....be and is hereby prohibited and restrained, until further orders of this office, from transferring or charging the property specified in the Schedule hereto by sale, gift or otherwise and all persons be and are hereby in like manner prohibited from receiving the same by purchase, gift or otherwise.

Schedule

(Description of property)

Issued under my hand and the seal of this office this.....day of.....19

Seal

Collector

FORM XXXVII

[See rule 129 (2) (a).]

PROCLAMATION AND WRITTEN NOTICE OF SALE OF FORFEITED PROPERTY

Whereas the property specified below has been forfeited for the recovery of the arrears of land revenue specified in column (5) of the table below due by.....son of....., resident of village.....in Dadra and Nagar Haveli;

Notice is hereby given that unless the amount due be paid to the Talathi of.....before the day herein fixed for the sale, the said property shall be sold free of all encumbrances imposed on it and all grants and contracts made in respect of it, by public auction at.....on the.....day of.....19 at or about.....O'clock.

Village	Survey No. and sub-Division No.	Area H.A.	Assessment Rs. P.	Arrears of land revenue due.	
				Rs.	P.
1	2	3	4	5	

Note : (1) Arrears of land revenue due on each survey number or sub-division number must be separately specified in col. 5.

(2) If a holding consists of more than one survey or sub-division number it would be open to the office conducting the sale to sell one or more of such numbers as may be considered necessary to recover the arrears

Date : 19

Seal

Collector

FORM XXXVIII

[See rule 129 (2) (b).]

PROCLAMATION AND WRITTEN NOTICE OF SALE OF DISTRAINED MOVABLE PROPERTY.

Whereas the movable property specified below has been distrained for the recovery of Rs. _____ on account of _____
 on account of arrears of land revenue

on account of demand recoverable as an arrears of land revenue due by _____ son of _____
 resident of village _____ in Dadra and Nagar Haveli:

Notice is hereby given that unless the amount due be paid to the Talathi of _____ before the day herein fixed for
 the sale, the said property shall be sold by public auction at _____ on the _____ day of _____ 19,
 at or about _____ O'clock. Any sale so made shall be

_____ shall not be

subject to confirmation.

Description of movable property.	Number of articles.	Property exempt under the proviso to section 167.

Date _____ 19

Seal

Collector

FORM XXXIX

[See rule 129 (2)(c).]

PROCLAMATION AND WRITTEN NOTICE OF SALE OF ATTACHED IMMOVABLE PROPERTY

Whereas the immovable property described below has been attached for the recovery of Rs. _____ on account of
 due by _____ son of _____, resident of _____ village Dadra
 and Nagar Haveli;

Notice is hereby given that unless the total amount aforesaid be paid before the day herein fixed for the sale, the said property
 shall be sold by public auction at _____ on the _____ day of _____ 19,
 at or about _____ O'clock.

The sale extends only to the right, title and interest of the said defaulter in the said property :

DETAILS OF PROPERTY

Description	Assessment, if any Rs. P.	Note of any known encumbrances, etc.
1	2	3

Date _____ 19

Seal

Collector

FORM XL

[See rule 131 (a).]

CERTIFICATE OF SALE OF FORFEITED IMMOVABLE PROPERTY.

This is to certify that _____ son of _____, resident of village _____
 has been declared the purchaser of the property specified below at a sale by public auction held on the _____ day of _____
 _____ 19, and that the sale has been duly confirmed by the _____ on the _____ day of _____
 _____ 19.

This sale has transferred to the purchaser the property free of all encumbrances imposed on it, and all grants and contracts made in
 respect of it by any person other than the purchaser.

DETAILS OF PROPERTY

Village	Survey No. Sub-Division No.	Area H. A.	Assessment Rs. P.	Name of recorded occupant or owner	Amount for which purchased.
1	2	3	4	5	6

Date _____ 19

Seal

Signature of Revenue Officer.

FORM XLII

[See rule 131 (b)]

CERTIFICATE OF SALE OF ATTACHED IMMOVABLE PROPERTY

This is to certify that _____, son of _____, resident of village _____ in Dadra and Nagar Haveli has been declared the purchaser of the immovable property specified below at a sale by public auction held on the _____ day of _____ 19____, and that the sale has been duly confirmed by the _____ on the day of _____ 19____.

This sale transfers to the purchaser the right, title and interest of _____ son _____ in the said property.

DETAILS OF PROPERTY

Village	Survey No. & Sub-djn. No.	Area	Assessment		Name of recorded occupant or owner	Amount for which purchased
		H.A	Rs.	P		
1	2	3	4		5	6

Dated _____ 19____

Seal.

Signature of Revenue Officer

FORM XLIII

[See rule 136 (1)]

Form of Notice under section 19 (2).

To,

A. B.

Whereas _____ (here describe the property or right in or over any property) _____ is claimed by Government or by _____ C.O. _____ against Government, notice is hereby given that an inquiry will be held by me to decide that claim.

You are hereby required to attend before me either in person or by a duly authorised agent at _____ O'clock of the _____ noon at the site in dispute at my office (camp at _____) on the _____ day of _____ 19____, at which time and place an inquiry into the same claim will be made.

And you are hereby required to produce before me at the time and place referred to above any documents or evidence you may wish to be heard.

If you fail to attend in person or by a duly authorised agent in pursuance of this notice, the claim referred to above will be decided in your absence.

Dated this _____ day of _____ 19____

(Signed)

Collector or Survey Officer.

FORM XLIII

[See rule 136 (3)]

Whereas in accordance with a notice duly served under rule 136(1) of the Dadra and Nagar Haveli Land Revenue Administration Rules, an inquiry was held by me on _____ and an order was passed on _____:

Notice is hereby given to all person concerned and to _____ (here specify the person to whom this notice is directed) _____ that my decision and order is that: (here summarise the order and define the property or right to which it relates).

Dated this _____ day of _____ 19____

(Signed)

Collector or Survey Officer.